THE BROADVIEW ANTHOLOGY OF SOCIAL AND POLITICAL THOUGHT

FROM MACHIAVELLI TO NIETZSCHE

GENERAL EDITORS: ANDREW BAILEY, SAMANTHA BRENNAN, WILL KYMLICKA, JACOB T. LEVY, ALEX SAGER, CLARK WOLF

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The Broadview Anthology of

Social and Political Thought

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From Machiavelli to Nietzsche

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Social and Political Thought

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GENERAL EDITORS

Andrew Bailey
Samantha Brennan
Will Kymlicka
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BROADVIEW PRESS – www.broadviewpress.com
Peterborough, Ontario, Canada

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Library and Archives Canada Cataloguing in Publication

Broadview anthology of social and political thought (2018)
The Broadview anthology of social and political thought : from Machiavelli to Nietzsche / general editors, Andrew Bailey, Samantha Brennan, Will Kymlicka, Jacob T. Levy, Alex Sager, Clark Wolf.

Includes bibliographical references and index.
ISBN 978-1-55481-422-0 (softcover)

1. Social sciences—Philosophy—Textbooks. 2. Political science—Philosophy—Textbooks. I. Bailey, Andrew, 1969-, editor II. Title. III. Title: Social and political thought. IV. Title: Anthology of social and political thought. V. Title: From Machiavelli to Nietzsche.

JA71.B7555 2018 300.1 C2018-900593-9

Broadview Press handles its own distribution in North America:
PO Box 1243, Peterborough, Ontario K9J 7H5, Canada
555 Riverwalk Parkway, Tonawanda, NY 14150, USA
Tel: (705) 743-8990; Fax: (705) 743-8353
email: customerservice@broadviewpress.com

Distribution is handled by Eurospan Group in the UK, Europe, Central Asia, Middle East, Africa, India, Southeast Asia, Central America, South America, and the Caribbean. Distribution is handled by Footprint Books in Australia and New Zealand.

Broadview Press acknowledges the financial support of the Government of Canada through the Canada Book Fund for our publishing activities.

Canada

Interior design and typeset by Eileen Eckert
Cover design by Lisa Brawn

PRINTED IN CANADA

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Preface

All too often with anthologies it is assumed that what is important is *only* the selections themselves, and how they are arranged. Our working principle with *The Broadview Anthology* is very different. We believe issues of translation are of real importance, and we have made substantial efforts to include in these pages translations that are both accurate and accessible to the reader. We also believe that thorough annotation and extensive introductory material are vital to the success of an anthology with twenty-first-century readers. Whereas most anthologies of political thought include only minimal annotations, we make it a practice to gloss any reference not likely to be familiar to undergraduate readers. Rather than brief headnotes, we provide substantial introductions even to figures not generally acknowledged as occupying a central place in political thought. For figures who have been generally acknowledged to be of central importance,[1] we go further, providing extended introductions designed to help students place the figure in a broad context of history and intellectual history as well as of political thought, and to steer them clear of common misconceptions. And, for virtually all figures included within the anthology, we provide something that one might not imagine in this age of the visual would be as unusual as it is in anthologies of political thought—illustration.

The Broadview Anthology is a project as ambitious as it is wide-ranging. With a view to the great challenges involved, we conceived of the project from the outset as a broadly collaborative effort. The general editors took the lead in setting out the general shape of the anthology and in choosing the individual selections; the general editors also reviewed and had a hand in shaping the introductory materials. But a large number of others have played vitally important roles—offering their advice as to what should and should not be included, commenting on texts and translations, and in many cases drafting annotations and superb introductory material. Their very substantial contributions are acknowledged following the title page; without their help it would surely have been impossible to produce this anthology, and to them both the general editors and the publishers extend profound thanks.

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[1] There is of course substantial room for disagreement as to which figures *are* of central importance, particularly in the context of an anthology designed for undergraduate teaching. Though no choice of selections will be entirely free from controversy, we consulted a great many professors in both philosophy and political science departments in our efforts to construct a table of contents that gives each figure her or his appropriate weight.

Acknowledgments

To a much greater extent than most anthologies, *The Broadview Anthology of Social and Political Thought* is a collaborative effort. The many who contributed by drafting introductory material, preparing annotations, or editing texts are listed immediately following the listing of the general editors on the title page. Special mention should here be made of the contributions of Prof. Robert M. Martin of Dalhousie University, who not only led the way in the drafting of introductions and notes but also assisted significantly in the preliminary editing of material drafted by others; of Victoria Kamsler of Princeton University, who has made very significant contributions both to the medieval and to the twentieth-century sections; and of Dr. Janet Sisson of Mount Royal University, whose contributions to the anthology's first section have been extensive and invaluable. Several others in-house at Broadview—notably, former Broadview Philosophy editors Tania Therien and Ryan Chynces—made significant contributions that should also be acknowledged.

Invaluable too has been the assistance of the dozens of academics who have been kind enough to offer their advice at one time or another during the preparation of the anthology on the specifics as to what should or should not be included, on various issues relating to translation, on the nuances of titling the anthology, and on a number of other matters. Following is a partial list; we apologize to any we have inadvertently omitted.

◆ ◆ ◆ ◆ ◆

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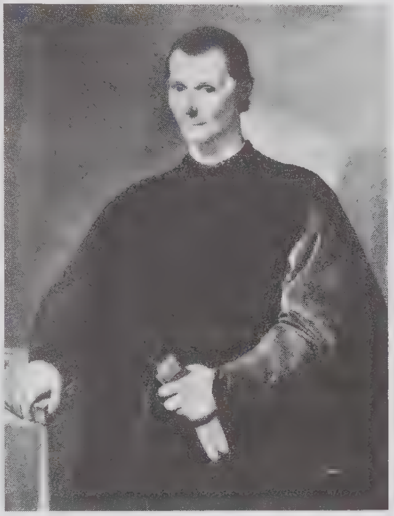
NICCOLÒ MACHIAVELLI
(1469 – 1527)

Who Was Niccolò Machiavelli?

Machiavelli, the author of one of the most controversial texts in Western political thought, was born in 1469 in Florence, an Italian city-state. The capital of Tuscany, Florence was controlled by the great banking house of the Medici; from Machiavelli's birth until his early twenties, his city was ruled by Lorenzo the Magnificent, a prince of the Medici family. An enthusiastic patron of the arts—including Leonardo da Vinci, Botticelli, Donatello, and Michelangelo—Lorenzo made Florence a hub of humanistic Renaissance culture.[1] He died in 1492, and his successor—Piero de' Medici—abandoned the city in the face of an advancing French army in 1494. After a short-lived but disastrous period of quasi-theocratic rule under the charismatic friar Savonarola—a populist religious firebrand who had opposed the humanist rule of the Medici—the newly republican Florence governed itself until 1512, when the Medici family, with the help of the Spanish army and the support of Pope Julius II, recaptured the city.



The second son of a prominent lawyer from an old Florentine family, Machiavelli became a government clerk in 1494 and he very quickly rose to a prominent position. From the death of Savonarola—burned at the stake by the Florentine population in 1498—until the return of the Medici, Machiavelli was Second Chancellor and Secretary to the Ten of War, and he traveled on diplomatic missions to a range of princely and ecclesiastical courts across southern Europe including the king of France, the Emperor Maximilian, and the Papal Court at Rome. During this period Machiavelli visited the military campaign headquarters of the general of the Pope's armies, Cesare Borgia, a figure who has come down through history as being notoriously ruthless and scheming but who Machiavelli is thought to have greatly admired—his exploits are frequently cited approvingly in *The Prince*.[2] Between 1503 and 1506 Machiavelli was in charge of the Florentine militia responsible for the defense of the city. He also organized a military force to attack Pisa, a nearby city that was in revolt against Florentine rule.[3]

After the return of the Medici Machiavelli was removed from office, and in 1513 he was arrested and tortured on suspicion of being involved in a plot to assassinate the Medici brothers, Giuliano and Giovanni. Even on the rack Machiavelli insisted on his innocence, and he was exiled to his family's estates in the Tuscan countryside. It was here, living in semi-seclusion with his wife Marietta and six children, that he wrote the works on which his reputation rests, *The Prince* and *Discourses on Livy*. He also wrote several other pieces, including a ribald play called *Mandragola* ("The Mandrake Root"); *Dell' Arte della Guerra*, a book on military organization; and a history of Florence commissioned by Cardinal—later Pope—Giulio de' Medici.

In 1525 Machiavelli, now in his mid-fifties, was finally allowed to return to public life, this time in the service of the Medici family. He visited Rome to present his *History of Florence* to the Pope, and traveled to Venice—where his play had recently been performed to great acclaim—on a trade mission from Florence. However, the spring of 1527

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[1] Lorenzo's collections form the core of the Uffizi museum in Florence. His banking house was also responsible for the creation of the double-entry bookkeeping system for keeping accounts.

[2] However, as a Florentine envoy, Machiavelli also strongly criticized Borgia. This has led some commentators to see *The Prince* as a bitter satire on contemporary political life, rather than as a manual in political expedience meant to be taken at face-value. Support for this non-standard interpretation is slim, however.

[3] The attack on Pisa was successful, and that city's separatist ambitions were suppressed for a time; however in 1512 Machiavelli's citizen militia lasted just one day when confronted by a professional army come to reclaim the city for the Medici.

Defin Republic

saw a terrible upheaval in European politics. To the shock of the continent, the city of Rome was attacked and—after the army ignored a truce agreed with Pope Clement VII—brutally sacked by an army of Germans and Spaniards commanded by the traitorous French Duke of Bourbon (who had turned against the French monarch in favor of Emperor Charles V). In the same month, the Medici were once again expelled from Florence by the rebellious republican citizenry. Machiavelli, however, lived barely long enough to see this new political turmoil: he was already seriously ill, and he died on June 21, 1527.

What Was Machiavelli's Overall Philosophical Project?

One of Machiavelli's central interests was to construct a rule-book for politics: a set of principles that would accurately predict how people will react to various pressures and crises, and thus allow the possessor of this knowledge to exert reliable influence over others—to control their behavior. In *The Prince*, his goal was to explain what a ruler needs to do to hold onto his power. In *Discourses on Livius* he offered an analysis of the early history of Rome in order to discern how the Romans had developed institutions that established a republic and then preserved it for centuries.

What Is the Structure of These Readings?

The Prince consists of a dedication to Lorenzo the Magnificent and then 26 chapters that form five general sections. Chapters 1–11 develop a taxonomy of states; chapters 12–14 deal with military affairs; 15–19 offer prescriptions on the proper character and conduct of a prince; 20–25 give advice on how princes should deal with different situations; and the final chapter is an exhortation to Italy to expel the foreign invaders—from France and the Habsburg empire—that meddled so much in the affairs of the peninsula.

Discourses on the First Ten Books of Titus Livius is a commentary on Livy's monumental history of Rome, *Ab Urbe Condita* ("From the Founding of the City"). Machiavelli's commentary is divided into three books: Book 1 deals with the internal structure of the republic; Book 2 is on warfare; and Book 3 is a treatise on the qualities desirable in a political leader.

Scenarios Taxonomy.

Some Useful Background Information

i) Machiavelli lived during an era when European politics was particularly fractious and brutal. He saw first-hand the machinations that statesmen engaged in to take and hold on to power (including the secular power of the papacy), and the risks that faced them from restless citizenry, from ambitious and vainglorious lieutenants, and even the military ambitions of nearby states. Machiavelli was not a dispassionate observer of these political forces; the ostracism that he underwent after the return of the Medici in 1512 affected him deeply. He had a passionate interest in politics, and loved to consider himself part of the high affairs of great men; he saw his forced exclusion from these circles as a substantial punishment for ending up on the losing side of a power struggle. (Machiavelli spent years making strenuous efforts to win the favor of the Medici—efforts that were just beginning to bear fruit when he died.)

ii) As a youngster, living in one of the great centers of the Italian Renaissance, Machiavelli received a thorough education in the Latin classics. Like many political thinkers of his era, he was deeply impressed by the ideals of the classical Roman republic. In particular, he admired the notion of a society whose institutions fostered virtue in its citizens and encouraged their regular participation in civic life. He was also fully familiar with the classical tradition of rhetoric: the practice of speaking publicly and persuasively in order to convince others of the worthiness of one's own position and the invalidity of that of one's opponents. In the *Discourses* Machiavelli praises rhetorical contention as the basis of civic liberty.

iii) Titus Livius was born in about 59 BCE and died in 17 CE. His history of Rome originally consisted of 142 books, but of these only books 1–10 and 21–45 survived to Machiavelli's day. Although Livy wrote during the reign of the first Roman Emperor, Augustus, he is supposed to have preferred the earlier Roman republic (which lasted from 509 BCE to about 27 BCE); since his books covering the decline of the Republic and the rise of Augustus have been lost, this is not certain.

Some Common Misconceptions

i) Machiavelli's *Prince* is often thought of as a "rule-book" for aspiring (and unprincipled) politicians. However, one of the lessons that Machiavelli was most concerned to impart is that there *are* no hard-and-fast rules in politics; there is

Chap 1–11.

[illegible] State-reason secular power

no single "virtue" that a politician must display in every circumstance. Instead, every political situation is different and the successful ruler must have the ability to judge what is required on a particular occasion and the flexibility to do what is necessary. Furthermore, although the goal of the shrewd leader is to reduce the role of luck or fate in his affairs—to bring fortune under his control—Machiavelli emphasizes that it is never possible to do this completely. Fortune is a powerful factor in human affairs, and even the greatest leaders are to some extent at its mercy.

ii) Machiavelli is notorious for arguing that "virtuous" princes ought sometimes to act cruelly, violently, or treacherously. However, he does not claim that it is always appropriate to do so—that men who have the power to act as they like therefore have the license to do so. He makes an important distinction between coercive actions that are "well-committed" and those that are "ill-committed." Coercion and deceit, according to Machiavelli, must be part of the prince's toolkit when the end justifies them as means, but they are never ends in themselves.

iii) Machiavelli is sometimes seen as a proponent of opportunistic individualism, a mentor to ambitious men who seek to gain power and influence over their fellows, a sympathizer with tough-minded realists who see that they need to "beat or be beaten" in this dog-eat-dog world. But this is an anachronistic exaggeration. Machiavelli's interest was not individualistic but patriotic—it was the welfare of the *patria*, one's native state, that primarily motivated him. His fervent vision was the restoration of Italy to political health and power.

How Important and Influential Are These Works?

Machiavelli, quite self-consciously, wrote *The Prince* both to form another entry in a particular literary tradition and radically to break from the established pattern of that genre. From Petrarch (1304–74) onwards there had been a humanist habit of writing didactic treatises on the ideal prince, often called "mirror-of-princes" books. These works would typically begin from a discussion of general ethical principles and the role and purpose of the state, and then go on to offer prescriptions for the manner in which a prince should be educated, the qualities required in a good ruler, the relationship that should exist between a prince and his subjects, and so on. Invariably, these handbooks would be full of improving examples taken from the classical world and bolstered with quotes from Roman historians, poets, and biographers. The central theme was that what it takes to be an effective ruler is *virtue*: princes were praised for their moral goodness, their generosity, their support of culture.

Machiavelli's *The Prince* is patterned on this learned model, which would have been quite familiar to his readers. And, true to this form, he writes extensively about the virtue of princes. However, Machiavelli also boldly asserted that he intended to break from the received wisdom and to take a clear-eyed, non-idealistic look at the way politics *really* operates. As such, when he talks about "virtue," he tends to mean, not moral goodness or Christian piety, but the skill required to keep control of one's kingdom. Machiavelli was aware—indeed, he frequently emphasizes—that this was a radical departure from tradition. It is this then-novel[1] view—that rulers cannot perform their roles effectively if they are bound by the constraints of normal morality; that politics should be governed by a different set of rules than private life—that has since been most associated with Machiavelli.

This view scandalized many and made the author's name synonymous in many quarters with "schemer": the stock character who schemed against and manipulated the other characters in the popular Jacobean tragedies written in the first half of the seventeenth century was called "Machiavelli." Machiavelli's writings were almost immediately placed on the papacy's Index of banned books, where they remained for nearly three centuries. Notwithstanding this, Machiavelli's views became part of the common political education of European rulers for generations after his death, and the doctrine of "reason of state"—that the ruler of a state, unlike a private citizen, may have recourse to force in order to preserve his situation—became an explicit part of political thinking in modern Europe. Along with Thucydides' *Peloponnesian War* and Hobbes' *Leviathan* and *De Cive*, *The Prince* is one of the central statements of political realism, the theory that politics is largely a matter of power, which agents should strive to maximize.

Machiavelli's *Discourses*, though less notorious than *The Prince*, has also been an influential work. It is widely considered the first and most important work on republicanism in the early modern era, and an important influence on the republican movements in England and Scotland in the seventeenth century and America in the eighteenth.

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[1] Novel, that is, at the level of theory, rather than of practice.

anachrons

The Prince (written 1513, published 1532)

Dedication

To the Magnificent Lorenzo di Piero de' Medici:[1]

Those who strive to obtain the good graces of a prince[2] are accustomed to come before him with such things as they hold most precious, or in which they see him take most delight; thus one often sees horses, arms, cloth of gold, precious stones, and similar ornaments worthy of their greatness presented to princes.

Desiring therefore to present myself to your Magnificence with some testimony of my devotion towards you, I have looked among my possessions and not found anything which I hold more dear than, or value so much as, the knowledge I hold of the actions of great men, acquired by long experience in contemporary affairs, and a continual study of antiquity; which, having reflected upon it with great and prolonged diligence, I now send this knowledge, condensed into a little volume, to your Magnificence.

And although I may consider this work unworthy of your approval, nevertheless I trust that your humanity will lead you to judge it be acceptable; it is not possible for me to make a better gift than to offer you the opportunity of understanding in the shortest time all that it has taken me many years to learn, through many troubles and dangers. I have not decorated this work with elaborate or magnificent words, nor stuffed it with rhetoric or unnecessary ornamentation, with which so many are accustomed to embellish their works; for I have wished that it receive no honor except by consequence of its truth and the importance of its theme.

Nor do I hold with those who think it presumptuous if a man of low and humble condition dares to discuss and lay down rules for matters of concern to princes. For, just as those who draw landscapes place themselves below in the plain to contemplate the nature of the mountains and of lofty places, and in order to contemplate the plains place themselves upon high mountains, so to understand the nature of the people one must be a prince, and to understand the nature of princes one must be of the people.

Take then, your Magnificence, this little gift in the spirit in which I send it. If you read and consider it diligently, you will discover in it my great desire that you should attain that greatness which fortune and your other attributes promise for you. And if your Magnificence will at some time turn your eyes from the summit of your greatness to these lower regions, you will see how undeservedly I suffer great and continued bad fortune.

Chapter 1: How many kinds of principalities there are, and by what means they are acquired

All states, all powers that rule or have ruled over humankind, are either republics or principalities.

Principalities are either hereditary, in which case the family has been long established; or they are new.

The new are either entirely new, as was Milan to Francesco Sforza,[3] or they are, as it were, principalities annexed to the hereditary state of the prince who has acquired them, as was the kingdom of Naples to that of the King of Spain.[4]

Such dominions thus acquired are either accustomed to live under a prince, or to live in freedom. They may be acquired either by the arms of the prince himself, by those of others, or else by fortune or by ability.

Chapter 2: Concerning hereditary principalities

I will leave out all discussion on republics, since I have written of them at length elsewhere. Here I will address myself only to principalities. In doing so I will keep to the order indicated above, and discuss how such principalities are to be ruled and preserved.

I say, then, that there are fewer difficulties in holding on to hereditary states, and those long accustomed to the family of their prince, than there are in holding on to new ones. With a hereditary state, it is enough merely to not offend against custom and to deal prudently with circumstances as they arise. A prince of average ability will maintain control unless he is deprived of it by some extraordinary and ex-toothing?

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[1] *Lorenzo di Piero de' Medici* Ruler of Florence (1492–1519); his uncle Pope Leo X made him duke of Urbino. His daughter was Catherine de' Medici, wife of King Henry II of France.

[2] *prince* This word is used here to mean a ruler in general.

[3] *Francesco Sforza* Mercenary for the Duke of Milan (1401–66), then duke himself.

[4] *King of Spain* Ferdinand II of Aragon, born 1452, became King of Naples after a war with France.

cessive force; and in that case, whenever anything sinister happens to the usurper, the prince may regain the state.

Here in Italy, for example, the Duke of Ferrara[1] could not have withstood the attacks of the Venetians in 1484, nor those of Pope Julius in 1510, unless he had been long established in his dominions. The hereditary prince has less cause and less need to offend; and it follows that he will be more loved; and unless extraordinary vices cause him to be hated, it is reasonable to expect that his subjects will be naturally well disposed towards him. Over the long duration of hereditary rule the memories and motives that make for change are lost, for one change always leaves the toothing for another.

Chapter 3: Concerning mixed principalities

But difficulties occur in a new principality. And if a principality is not entirely new, but is a new addition to a preexisting state so that the whole forms a composite state, then changes arise chiefly from a difficulty which is inherent in all new principalities. This is that people hope that changing their rules will improve their situation, and their hope is what induces them to take up arms against their current ruler. In this they are deceived, and afterwards they discover through experience that they have gone from bad to worse. This is the result of another natural and common necessity, which is that a new prince must burden his new subjects with the presence of his troops, as well as with infinite other hardships associated with the establishment of a new acquisition.

In this way, you make enemies of all those whom you have injured in seizing that principality, and you are not able to keep the friends who put you there, because you cannot satisfy them in the way they expected. You also cannot take strong measures against them. For, although one may be very strong in armed forces, in entering a province one always needs the goodwill of its natives.

For these reasons, Louis the Twelfth,[2] King of France, quickly occupied Milan, and as quickly lost it. Lodovico's[3] own forces were all that was required to turn him out the first time because those who had opened the gates to the King, finding themselves deceived in their hopes of future benefit, were unwilling to endure the ill-treatment they received from him. It is very true that, after a prince acquires rebellious provinces a second time, he does not lose them again so easily. This is because the prince will show little reluctance to take the rebellion as an opportunity to punish delinquents, to clear out anyone suspect, and to strengthen himself in the weakest places. Thus to cause Louis to lose Milan the first time it was enough for Duke Lodovico to raise insurrections on the borders, but in order for the king to lose it a second time it was necessary to bring the whole world against him, and to defeat his armies and drive them out of Italy. This follows from the causes I mentioned above.

Nevertheless, Milan drove out France the second time, just as it had the first. The general reasons for the first loss have been discussed; it remains to name those for the second, to see what resources Louis had, and how anyone in his situation might have used them to maintain himself more securely in his acquisition than did the King of France.

Those dominions which, when acquired, are added to the long held state of the ruler who acquires them are either of the same region and language, or they are not. When they are, it is easier to hold them, especially when they have not been accustomed to self-government. To hold them securely, it is enough to have destroyed the family of the prince who was ruling them, because the two peoples, preserving the same conditions in other respects, and not being unlike in customs, will live quietly together. This can be seen in the case of Brittany, Burgundy, Gascony, and Normandy, which have been bound to France for so long a time; although there may be some difference in language, nevertheless the customs are alike, and they can easily get on amongst themselves. He who has annexed such a state, if he wishes to hold it, needs only to bear in mind two considerations: first, that the family of its former lord is extinguished; and second, that neither its laws nor its taxes are altered, so that in a very short time it will be considered no different from the old principality.

But when states are acquired in a place differing in language, customs, or laws, then there are difficulties, and good fortune and great energy are needed to overcome them. One of the greatest and most effective measures is for he who has acquired the state to go and live there. This is likely to make his position more secure and durable, as it has made that of the Turks in Greece, who, notwithstanding all the other measures they have taken to hold that state, would not have been able to keep it if they had not settled there. If one is on the spot, one can see disorders as they spring up, and one can quickly remedy them; but if one is not at hand, one hears of troubles only when they have spread, and then one can no longer remedy them. Moreover, if you are present the country will not be pillaged by your officials. It will be good for your subjects to have their prince close at hand; those who wish to be good have more cause to love him, and those wishing to be otherwise have more cause to fear him. One who would attack such a state from the outside will think again, for as long as the prince resides there it can only be wrested from him with the greatest difficulty.

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[1] *Duke of Ferrara* This appears to be a reference to two different people, Ercole I (1431–1505) and Alfonso I (1476–1534).

[2] *Louis the Twelfth* King Louis XII, "Father of the People," born 1462, King of France from 1498 until his death in 1515. He succeeded Charles VIII as King of France in 1498.

[3] *Lodovico's* Duke Lodovico was Lodovico Moro, a son of Francesco Sforza, who married Beatrice d'Este. He ruled over Milan from 1494 to 1500 and died in 1510.

The other and better course is to establish settlements of your own people in one or two places within the state, which can act as keys to that state. If you do not establish such settlements you will need to spend a lot to keep a great number of cavalry and infantry there. But a prince does not need to spend much on colonies, for with little or no expense he can send colonists out and keep them. He offends only the minority of citizens from whom he takes lands and houses to give them to the new inhabitants; and those whom he offends remain poor and scattered and are thus never able to injure him. The rest of the citizenry, being unaffected, are easily kept quiet, and at the same time are anxious not to err for fear that they, too, will lose their property. In conclusion, these colonies are not costly; they are more faithful; they cause less injury; and the injured, as has been said, being poor and scattered, cannot do harm. This leads to the observation that men ought to be either well treated or crushed; they can avenge themselves of lighter injuries, while of more serious ones they cannot. Therefore, any injury that is done to a person ought to be of such a kind that one need not be in fear of revenge.

But if, instead of colonies, one maintains armed men in the state, one spends much more, having to consume on the garrison all the income from the state, so that the acquisition turns into a loss. Also, many more are exasperated, because the whole state is injured; the troops of the garrison will make their presence felt up and down the state, and all will become acquainted with hardship. All then become hostile, and they will be enemies who, while beaten on their own ground, will yet be able to do harm. For every reason, therefore, such guards are as useless as a colony is useful.

The prince who holds a state differing from his own in the respects described above ought to make himself the head and defender of his less powerful neighbors, and to weaken the more powerful amongst them, taking care that no foreigner of equal power can, by any chance, get a footing there. For it will always happen that such a competitor will be brought in by those who are discontented, either through excess ambition or fear, as has been seen already. The Romans were brought into Greece by the Aetolians, and in every other country where they obtained a footing they were brought in by the inhabitants. The usual course of affairs is that, as soon as a powerful foreigner enters an area, all the subject states are drawn to him, moved by the hatred which they feel against their ruling power. This means that such a foreigner has no trouble gaining their allegiance, for the whole of them quickly rally to the state which he has acquired there. He only needs to take care that the subject states do not get hold of too much power and authority, and then with his own forces, and with their goodwill, he can easily suppress the more powerful of them, so as to remain entirely master in the country. He who does not properly manage this business will soon lose what he has acquired, and, so long as he does hold it, he will have endless difficulties and troubles.

The Romans, in the countries which they annexed, observed these measures closely; they sent colonists and maintained friendly relations with the minor powers, without increasing their strength, while they kept down the greater ones and did not allow any strong foreign powers to gain authority. Greece is a good example of a country the Romans dealt with in this way. The Romans kept the Achaeans and Aetolians friendly, defeated the kingdom of Macedonia, and drove Antiochus out. Despite their merits, the Achaeans and Aetolians were never allowed to increase their power; Philip's attempts at persuasion could not induce the Romans to befriend him without first humbling him; and Antiochus's influence could not bring the Romans to agree that he should retain any authority in Greece. The Romans did in these instances what all prudent princes ought to do: keep in mind not only present troubles, but also future ones, and prepare for them with every energy. When foreseen, they are easy to remedy, but if you wait until they approach, the medicine is no longer in time; the malady has become incurable. It happens in these cases, as the physicians say it often happens with a terrible disease: in the beginning of the sickness it is easy to cure but difficult to detect, but in the course of time, if it has not been detected or treated in the beginning, it becomes easy to detect but difficult to cure. So it happens in affairs of state. When the evils that arise have been foreseen (which only a wise man can do), they can be quickly redressed, but when they have not been foreseen and have been permitted to grow until everyone can see them, there is no longer a remedy.

Knowing this, the Romans, foreseeing troubles, dealt with them at once. They would not let them develop, not even to avoid a war, for they knew that war is not to be avoided, but can only be put off to the advantage of others. In this case, they wished to fight with Philip and Antiochus in Greece so they would not have to do so in Italy; they could have avoided both, but did not wish to do this. Nor did the Romans ever believe the wise ones of today who are forever saying: "Let us enjoy the benefits of the time." The Romans enjoyed the benefits of their own valor and prudence; time drives everything before it, and is able to bring with it good as well as evil, and evil as well as good.

But let us return to France and inquire whether that country has done any of the things mentioned. I will speak of Louis (and not of Charles[1]) as the one whose conduct is worth observing, since he held possession of Italy for the longest period. You will see that he has done the opposite of the things which ought to be done to retain a state composed of diverse elements.

King Louis was brought into Italy through the ambition of the Venetians, who wanted to obtain half the state of Lombardy by his intervention. I will not blame the king for taking this course. Wishing to get a foothold in Italy, and having no friends there—seeing rather that every door was shut to him because of the previous conduct of Charles—he was forced to accept the friendships he could get. He would have succeeded very quickly in his design if he had not made some mistakes in other matters. Having acquired Lombardy, Louis regained at once the authority which Charles had lost. Genoa yielded; the Florentines became his friends; the Marquess of Mantua, the Duke of Ferrara, the Bentivogli, my lady of Forli, the Lords of Faenza, of Pesaro, of Rimini, of Camerino, of Piombino, the Lucchese, the Pisans, Sienese—everybody looked to become his friend. Then the Venetians were able to realize the rashness of the course they had taken: in order for them to secure two towns in Lombardy, they had made the king master of two-thirds of Italy.

Let us now consider how, with little difficulty, the king could have maintained his position in Italy if he had observed the rules laid out above and kept all his friends secure and protected. Although his friends were numerous, they were both weak and timid, some afraid of the Church, some of the Venetians. Thus, they would always have been forced to stand in with him, and with their help he could easily have made himself secure against those who remained powerful. But no sooner was he in Milan than he did the contrary by assisting Pope Alexander to occupy the Romagna. It never occurred to him that by taking this action he was weakening himself, depriving himself of friends and of those who had thrown themselves into his lap, while at the same time adding much worldly power to the spiritual power of the Church, thus giving it greater authority. Having committed this primary error, he was obliged to follow through; to put an end to Alexander's ambition and prevent him from becoming the master of Tuscany, Louis was forced to come to Italy himself.

And as if it were not enough to have strengthened the Church and deprived himself of allies, he now made a further mistake. Wishing to have the kingdom of Naples, he divided it with the King of Spain. Where he had been the sole leader in Italy, he now had an associate, giving the ambitious of that country and the malcontents of his own someone to provide shelter. Louis could have left a king in Naples who was willing to act on his behalf, but instead he displaced that king to make room for another who, in turn, was able to drive Louis from the kingdom.

To be sure, the wish to acquire more is natural and common, and people want to do so when they can. For this they should be praised and not blamed; it is only when they cannot do so, yet wish to do so by any means, that there is folly and blame. Therefore, if Louis could have attacked Naples with his own forces, then he ought to have done so; if he could not, then he ought not to have divided it. While the partition he made with the Venetians in Lombardy was justified because it gave him a foothold in Italy, the partition in Naples merited blame because it did not have the same excuse of necessity.

To sum up, Louis made these five errors: he destroyed the minor powers, he increased the strength of one of the greater powers in Italy, he brought in a foreign power, he did not settle in the country, and he did not send colonists. If he had lived, even these errors would not have been enough to injure him if he had not made a sixth by taking the Venetians' dominions away from them. Had he not already strengthened the Church or brought Spain into Italy, it would have been very reasonable and necessary to humble the Venetians. But having made those earlier mistakes, he should never have consented to the Venetians' ruin; so long as the Venetians remained powerful, they would have kept away others with designs on Lombardy. The Venetians would never have permitted a move against Lombardy unless they gained control of it, but no other power would wish to take Lombardy from France in order to give it to the Venetians. And no one would have had the courage to act against both France and Venice.

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[1] *Charles* Charles VIII, "The Affable," born 1470, King of France from 1483 until his death in 1498.

If anyone argues that King Louis yielded the Romagna to Alexander and the kingdom to Spain to avoid war, I would answer that, for the reasons given above, a blunder ought never to be perpetrated to avoid war. As I have said, war cannot be avoided, but can only be deferred to your disadvantage. Someone else might give the excuse that the king had pledged to the Pope that he would assist him in the enterprise in exchange for the dissolution of his marriage[1] and for the Cardinal's hat to be given to the Archbishop of Rouen.[2] To that, my reply is what I will write later concerning the faith of princes and how it ought to be kept.

King Louis, therefore, lost Lombardy because he did not follow any of the guidelines that must be observed by those who have taken possession of countries and wish to retain them. There is no miracle about any of this; it is all quite reasonable and natural. I spoke on these matters at Nantes with Rouen, when Valentino—as Cesare Borgia,[3] the son of Pope Alexander, was usually called—occupied the Romagna. When Cardinal Rouen observed to me that the Italians did not understand war, I replied that the French did not understand statecraft, meaning that otherwise they would not have allowed the Church to reach such greatness. In fact, as has been seen, France caused the Church and Spain to become great in Italy, and the ruin of France can be attributed to them. From this can be drawn a general rule which never or rarely fails: that one who is the cause of another becoming powerful is ruined. This is because that increase in power must be brought about either by astuteness or by force, and the one who has been raised to power will be distrustful of both.

Chapter 4: Why the kingdom of Darius, conquered by Alexander, did not rebel against the successors of Alexander at his death

Considering all the difficulties associated with holding on to a newly acquired state, some might wonder why, when Alexander the Great became the master of Asia in a few years and died when it was barely settled, the whole empire did not rebel. Nothing of that sort occurred: his successors maintained their positions, and they had to face no difficulty other than that which arose among themselves from their own ambitions.

To those who think this strange, I point out that all known principalities are governed in one of two different ways. One way is for a prince to rule over his subjects with the assistance of some people he permits to assist him as ministers. The other way is for the principality to be governed by a prince with barons, who hold that rank according to heredity and not by the grace of the prince. Such barons have states with their own subjects, who recognize them as lords and have natural affection for them. Those states that are governed by a prince and his servants hold their prince in higher esteem, since in all the country there is no one who is recognized as similarly powerful. If they give their obedience to another, they give it as to a minister and official, and do not bear any particular affection for him.

In our time, these two kinds of government are exemplified by the Turkish Empire and France. The entire monarchy of the Turks is governed by one lord, and the others are his servants; dividing his kingdom into sanjaks, he sends different administrators to them, and shifts and changes them as he chooses. But the King of France is placed in the midst of an ancient body of lords, who are acknowledged by their own subjects, and beloved by them. The lords have their own powers and privileges, and the king cannot take these away except at his peril. One who considers both of these states will recognize that there are great difficulties in seizing the Turkish state, but that, once it is conquered, there will be great ease in holding it. The difficulties in seizing the Turkish kingdom arise because the usurper cannot be brought in by the princes of the kingdom, nor can he hope to be assisted in his designs by the revolt of those who the lord keeps close to him. This is for the reasons given above; the lord's ministers, being all slaves and bound to him, can only be corrupted with great difficulty. Even when they have been corrupted, one can expect little advantage from them, as they cannot carry the people with them, for the reasons explained above. Hence, one who attacks the Turks must bear in mind that he will find them united, and he will have to rely on his own strength, without counting on any discontent among the enemy. But once the lord has been conquered and thoroughly defeated in the field so that he cannot replace his armies, there is nothing to fear but his family. Once they are exterminated, there remains no one to fear, since the others have no credit with the people; as the conqueror did not rely on them before his victory, so he ought not to fear them after it.

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[1] *his marriage* Louis XII divorced his wife, Jeanne, daughter of Louis XI, and married in 1499 Anne of Brittany, widow of Charles VIII, in order to retain the Duchy of Brittany for the crown.

[2] *Archbishop of Rouen* Georges d'Amboise (1460–1510), created a cardinal by Alexander VI.

[3] *Cesare Borgia* Italian military leader (c. 1475–1507), illegitimate son of Pope Alexander VI, and cardinal. He was commander of the papal armies, with a reputation for cruelty, opportunistic ruthlessness, and treachery.

The contrary happens in kingdoms governed like France. One can easily enter there by winning over some baron of the kingdom, because one can always find malcontents and people who desire change. Such barons, for the reasons given, can open the way into the state and provide an easy victory; but if you wish to hold the state afterwards, you meet with infinite difficulties, both from those you have assisted and from those you have crushed. And it is not enough for you to have defeated the family of the prince, because the lords that remain make themselves the heads of fresh movements against you. You will be unable either to satisfy or to exterminate them, and they will take the state from you whenever time presents the opportunity.

Now, if you will consider the nature of the government of Darius, you will find it similar to that of the Turkish kingdom. All that was necessary was for Alexander first to overthrow Darius in the field, and then to take the country from him. After this victory, Darius being killed, the state remained securely in Alexander's possession for the above reasons. If his successors had been united, they would have enjoyed it securely and at their ease, for there were no upheavals created in the kingdom except those they provoked themselves.

But it is impossible to hold so easily states constituted in the way that France is—with powerful barons as well as kings. Hence arose frequent rebellions against the Romans in Spain, France, and Greece, owing to the many principalities there were in these states. As long as the memory of the principalities endured, the Romans held these states as insecure possessions, but once they had ruled for a long time and the memory of the principalities had passed away, the Romans then became secure possessors. When, later, the Romans were fighting amongst themselves, each one was able to attach himself to his own parts of the country according to the authority he had assumed there; the family of the former lord being long exterminated, none other than the Romans were acknowledged.

Bearing these things in mind, no one will marvel at the ease with which Alexander held the Empire of Asia, or at the difficulties which others, such as Pyrrhus and many like him, have faced in trying to keep an acquisition. These differences are not brought about by a lack of or abundance of ability in the conquerors, but by the absence of uniformity in subject states.

Chapter 5: Concerning the way to govern cities or principalities which lived under their own laws before they were annexed

Whenever states in which people are accustomed to living in freedom under their laws have been acquired as I have described above, there are three courses of action open to those who wish to hold on to them. The first is to ruin them; the next is to reside there in person; the third is to permit the people to live under their own laws, while at the same time exacting from them a tribute,[1] and establishing within the state an oligarchy which will keep it friendly to you. An oligarchical government created by the prince will know that it cannot last without his friendship and interest, and will do its utmost to support him. The ruler who wants to win over a city that is accustomed to freedom will do so more easily by means of its own citizens than in any other way. But establishing an oligarchical government may not be the most reliable approach. Take, for example, the Spartans and the Romans. The Spartans held Athens and Thebes by establishing an oligarchy, but lost both cities. The Romans, in order to hold Capua, Carthage, and Numantia, dismantled them, and did not lose them. They wished to hold Greece as the Spartans had held it, making it free and allowing it to have its laws, and did not succeed. So to hold the region they were compelled to destroy many cities within it, for in truth there is no sure way to retain control of such cities except by ruining them. When a city is accustomed to freedom, he who becomes master of it and does not destroy it runs the risk of being destroyed by it; for the city can always find two rallying points for rebellion: the cause of liberty itself and the cause of maintaining its ancient privileges, which neither time nor new privileges will ever make it forget. Whatever you may do, unless the people are disunited or dispersed, they will never forget the cause of liberty and of those privileges; at every chance they will immediately rally to that cause, as Pisa did after the hundred years she had been held in bondage by the Florentines.

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[1] *tribute* Tax.

When cities or countries have been accustomed to live under a prince, on the one hand, things are likely to be quite different. If, for example, a prince and his family are exterminated, the people are likely to be uncertain how to react. Being accustomed to obeying a prince but lacking any price to obey, they will not be able to agree on choosing a new prince from amongst themselves, and they will not know how to govern themselves. For this reason they are very slow to take up arms, and a prince can win them over and establish himself much more securely. In republics there is more vitality, greater hatred, and a greater desire for vengeance in such circumstances; republics will never permit the memory of their former liberty to rest; so the safest way is to destroy them or to reside there.

Chapter 6: Concerning new principalities which are acquired through one's own arms and ability

No one should be surprised if, in speaking of entirely new principalities as I shall do, I cite the greatest examples both of prince and of state. Men almost always walk along paths beaten by others and imitate their deeds, although for the most part they are still unable entirely to walk in the path of others or attain to the power of those they imitate. A wise man ought always to follow the paths beaten by great men, and to imitate those who have been supreme, so that if his ability does not equal theirs, at least it will have the tinge of it. Let him act like those prudent archers who, trying to hit the mark which yet appears too far distant, and knowing the limits of the strength of their bow, take aim much higher than the mark, not in order to shoot their arrow to so great a height, but rather, by aiming so high, to hit the mark they wish to reach.

I say, therefore, that in entirely new principalities, where there is a new prince, the likelihood of his remaining in power will depend on whether the new prince displays greater or lesser ability. Now, since a private citizen who becomes a prince must have had either ability or fortune, it is clear that one or other of these two things will mitigate many difficulties to some degree. Nevertheless, he who has relied least on fortune is the best. Further, it facilitates matters when the prince, having no other state to govern, is compelled to reside there in person.

But let us turn to those who have risen to become princes by their own ability and not through fortune. I say that Moses, Cyrus, Romulus, Theseus,[1] and such like are the most excellent examples. Perhaps we should really not include Moses, since he was a mere executor of the will of God, yet he ought to be admired, if only for the grace that made him worthy to speak with God. But Cyrus and others who have acquired or founded kingdoms are all admirable; and if we consider their particular deeds and methods, we will find them to be not inferior to those of Moses, although he had so great a teacher. And if we examine their actions and lives we can see that they owed nothing to fortune except opportunity, which gave them the material to mould into the form which seemed best to them. Without that opportunity their strength of spirit would have been extinguished; but without their strength of spirit the opportunity would have come in vain.

It was therefore necessary for Moses to find the people of Israel in Egypt enslaved and oppressed by the Egyptians, in order that they should be disposed to follow him and be delivered out of bondage. It was necessary that Romulus should not remain in Alba, and that he should be abandoned at birth, in order that he should become King of Rome and founder of the nation. It was necessary that Cyrus should find the Persians discontented with the government of the Medes, and the Medes soft and effeminate as a result of their long peace. Theseus could not have shown his ability had he not found the Athenians dispersed. These opportunities made those men fortunate, and their high ability enabled them to recognize the opportunity through which they could enable their country and make it fortunate.

Those, like these men, who through their courage become princes acquire a principality[2] with difficulty, but they keep it with ease. The difficulties they have in acquiring it arise in part from the new rules and methods which they are forced to introduce to establish their government and its security. And it ought to be remembered that there is nothing more difficult to execute, more perilous to conduct, or more uncertain in its success, than taking the lead in the introduction of a new political order. For the innovator has for enemies all those who have done well under the old conditions, and lukewarm defenders in those who may do well under the new. This coolness arises partly from fear of opponents, who have the laws on their side, and partly from the incredulity of men, who do not readily believe in new things until they have had a long experience of them. Thus it happens that whenever those who are hostile have the opportunity to attack, they do it with the zeal of partisans, while the others defend lukewarmly. As a result the prince is endangered along with them.

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[1] *Moses* The Old Testament religious and military leader of the Jews, who led his people out of slavery in Egypt; *Cyrus* Cyrus the Great was the sixth-century BCE founder of the Persian Empire; *Romulus* According to tradition, Romulus, together with his brother Remus, founded Rome in the eighth century BCE and was its first king, conquering and annexing a large territory; *Theseus* Legendary founder of Athens and hero of Greek mythology.

[2] *principality* Position held by a prince.

If we desire to discuss this matter thoroughly, then we must inquire whether these innovators can rely on themselves or have to depend on others. To achieve their goal, do they have to beg for help or can they use force in carrying out their plans? If the first, they always fare badly, and never accomplish anything; but when they can rely on themselves and use force, then they are rarely endangered. Hence it is that all armed prophets have conquered, and the unarmed ones have been destroyed. Besides the reasons mentioned, the nature of the people is variable, and while it is easy to persuade them, it is difficult to keep them convinced. And thus it is necessary to take such measures that, when they believe no longer, they can be made to believe by force.

If Moses, Cyrus, Theseus, and Romulus had been unarmed, they could not have enforced their constitutions for long—as happened in our time to Fra Girolamo Savonarola.[1] Both Savonarola and the new institutions he had created were ruined when the multitude came to believe in him no longer, and he had no means either of keeping steadfast those who believed or of making the unbelievers believe. As we can see, then, such men have great difficulties and dangers in achieving their goals. But when these are overcome, and those who have envied them their success are exterminated, they will begin to be respected, and they will continue afterwards powerful, secure, honored, and happy.

To these great examples I wish to add one more—that of Hiero of Syracuse.[2] He is a less important figure than those mentioned above, but his case bears some resemblance to theirs, and may serve as an example of circumstances common to many others. This man rose from a private position to be Prince of Syracuse. He owed nothing to Fortune, everything to opportunity; the Syracusans, being oppressed, chose him as their captain. Afterwards they rewarded him by making him their prince. He was of such great ability, even as a private citizen, that according to one source he lacked nothing but a kingdom to be a king.[3] This man abolished the old army, organized a new one, gave up old alliances, made new ones. Since he had his own soldiers and allies, he had strong foundations on which to build any edifice: thus, while he had endured much trouble in acquiring his position, he had little in keeping it.

Chapter 7: Concerning new principalities which are acquired either through the arms of others or by good fortune

Those private citizens who rise to become princes solely as a result of good fortune have little trouble rising, but much trouble remaining on top; they have no difficulty on the way up, since they fly up, but they have many difficulties when they reach the summit. Of this sort are those to whom a principality is given either in exchange for money or else through the favor of him who bestows it. Such things took place in Greece, in the cities of Ionia and of the Hellespont, where princes were installed by Darius[4] to hold the cities both for his security and for his glory. Private citizens who become emperors through the corruption of soldiers are in a similar category. In this sort of situation, everything depends for the rulers on the good will and the fortune of those who have elevated them—two most inconstant and unstable things. They are not likely to have the knowledge required for the position, since, unless they are men of great worth and ability, it is not reasonable to expect that people who have always lived in private rather than public life should know how to command. Moreover, they cannot be sure of holding their position because they do not have forces which they can keep friendly and faithful to them.

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[1] *Fra Girolamo Savonarola* Italian priest and political leader of Florence (1452–98), known for his agitation for religious reform and his opposition to Renaissance culture (as a burner of books and destroyer of paintings). He drove the Medicis out of Florence and was eventually excommunicated, tortured, and executed for criticizing the Pope.

[2] *Hiero of Syracuse* Hiero II (307–216 BCE) was so successful as an army commander that he was elected king of Syracuse.

[3] *he lacked nothing … to be a king* Inaccurate quotation from the Roman historian Justin.

[4] *Darius* Last king of Persia who reigned from 336 to 331 BCE.

States that rise unexpectedly, then, like all other things in nature which are born and grow rapidly, cannot have foundations stable enough to endure the first storm; unless, as I noted, those who unexpectedly become princes are men of so much ability that they know they have to be prepared both to hold onto that which fortune has thrown into their laps, and afterwards to lay the sort of foundation that others have laid before they became princes.

Let me now cite examples of these two methods of rising to be a prince—through ability or through fortune. These two examples are within our own recollection: Francesco Sforza and Cesare Borgia. Francesco, by proper means and with great ability, rose from his position as a private person to become Duke of Milan. He kept the post, which he had acquired with a thousand anxieties, with little trouble. On the other hand, Cesare Borgia, called by the people Duke Valentino, acquired his state during the ascendancy of his father, and on its decline he lost it, notwithstanding that he had taken every measure and done all that ought to be done by a wise and able man to firmly fix his roots in those states which the arms and fortunes of others had bestowed on him.

For, as I stated above, he who has not first laid his foundations may be able if he possesses great ability to lay them afterwards, but in that case they will be laid with trouble to the architect and danger to the building. The Duke Valentino is one who laid solid foundations for his future power, and I do not consider it superfluous to discuss them, because I do not know what better precepts to give a new prince than the example of Valentino's actions. If his efforts were finally to no avail, that was not his fault, but the extraordinary and extreme malignity of fortune.[1]

Alexander VI,[2] in attempting to advance his son the duke, faced many difficulties. Firstly, he did not see any way in which he could put his son in charge of any state that was not a state of the Church; and if he was willing to try to take a state away from Church control, he knew that the Duke of Milan and the Venetians would not consent, because Faenza and Rimini were already under the protection of the Venetians. Besides this, he saw that the armed forces of Italy, especially those which he might have used, were controlled by those who would fear the greatness of the Pope, namely, the Orsini and the Colonna[3] and their following. It was advantageous to him, therefore, to upset this state of affairs and create turmoil for these powers, so as to safely obtain control of part of their states. This was easy for him to do, because the Venetians wanted for their own reasons to bring back the French into Italy; he would not only not oppose this, but he would render it easier by dissolving the former marriage of King Louis. Therefore the king came into Italy with the assistance of the Venetians and the consent of Alexander. He was no sooner in Milan than the Pope obtained soldiers from him for the Romagna campaign; this was made possible because of the prestige of the king. The duke, having acquired the Romagna and beaten the Colonna, then wished to hold the Romagna and to advance further, but he was hindered by two things. First, a suspicion that his forces were not loyal to him; and second, the will of the King of France. That is to say, he feared that the forces of the Orsini, which he was using, would not stand with him—that they might hinder him from winning more, but also that they might themselves seize what he had won, and that the King might also do the same. He had experienced this with the Orsini when, after taking Faenza and attacking Bologna, he saw them go only reluctantly to battle. And he learned the king's intentions when he himself, after taking the duchy of Urbino, attacked Tuscany, and the king made him desist from that undertaking; hence the duke decided to depend no more upon the troops and fortunes of others.

First he weakened the Orsini and Colonna parties in Rome, by winning over to himself all their adherents who were gentlemen, making them *his* gentlemen, giving them good pay, and, according to their rank, honoring them with office and command in such a way that in a few months all attachment to their factions was destroyed and turned entirely to the duke. After this he awaited an opportunity to crush the Orsini, having scattered the adherents of the Colonna. This came to him soon and he used it well; the Orsini, realizing too late that the greatness of the duke and the Church would ruin them, called a meeting at Magione, in the territory of Perugia. From this sprung the rebellion at Urbino and the insurrections in the Romagna, with endless dangers to the duke, all of which he overcame with the help of the French. His authority was restored;

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[1] *malignity of fortune* As described below, this is his illness after the death of his father.

[2] *Alexander VI* Rodrigo Borgia (1431–1503); Pope from 1492 until his death.

[3] *the Orsini and the Colonna* Powerful Roman families who played important roles in Italian history. They were hereditary enemies with a rivalry that lasted until the *Pax Romana* of 1511.

and in order not to risk it by trusting either the French or other outside forces, he had turned to strategic deception. He knew very well how to conceal his aims and used as an intermediary Signor Paolo [Orsini]—whom the duke did not fail to secure with all kinds of attention, giving him money, garments, and horses. With Signor Paolo's help, the Orsini were reconciled, so that their stupidity brought them into the duke's power at Sinigaglia. Having exterminated the leaders, and turned their partisans into his friends, the duke had laid sufficiently good foundations for exercising his power; he had control of all the Romagna and of the duchy of Urbino; and he won the support of the people, who had begun to appreciate their prosperity. (And as this last point is worthy of notice, and to be imitated by others, I am not willing to leave it out.)

When the duke occupied the Romagna he found it under the rule of weak masters, who plundered their subjects rather than governed them, and gave them more cause for disunion than for union; so that the country was full of robbery, quarrels, and every kind of violence. Wishing to bring back peace and obedience to authority, the duke considered it necessary to appoint a good governor. He promoted Ramiro d'Orco [de Lorqua], an unscrupulous and cruel man, to whom he gave the fullest power. This man in a short time restored peace and had great success in establishing unity. But afterwards the duke considered that it would not be advisable to confer such excessive authority on him on an ongoing basis, for the duke was sure that Ramiro would become odious. He therefore set up a court of judgment in the country, under a most excellent president, wherein all cities had their advocates. And because the duke knew that the severity of his past behavior had caused some hatred against himself, he desired to clear himself in the minds of the people and win them over to his side. He wanted to show them, indeed, that, if any cruelty had been perpetrated, it had not originated with him, but in the violent nature of Ramiro his minister. Under this pretence he had Ramiro arrested and then one morning had him executed and left on the piazza at Cesena, with the block and a bloody knife at his side. The barbarity of this spectacle caused the people to be satisfied and dismayed at the same time.

But let us return to where we left off. The duke now found himself in a powerful position. He had largely secured himself against immediate dangers by having armed himself in his own way, and by having in great measure crushed those forces in his vicinity that could injure him. He had next to consider France, for he knew that the king, who had become aware of his mistake too late, would not support him. And from this time the duke began to seek new alliances and to vacillate with France in the expedition which she was making towards the kingdom of Naples against the Spaniards who were besieging Gaeta. It was the duke's intention to secure himself against them, and he would have quickly accomplished this had Alexander lived.

These were the actions he undertook with a view to the present. As to the future, he had to fear, in the first place, that a new successor to the Church might not be friendly to him and might seek to take from him that which Alexander had given him. So he decided to act in four ways. First, he decided to exterminate the families of those lords whom he had despoiled, so as to take away that opportunity from the Pope. Second, he took it upon himself to win over all the gentlemen of Rome, so as to be able to resist the Pope with their aid, as I have mentioned. Third, he worked at converting the College of Cardinals[1] to his side. Fourth, he endeavored to acquire such a large territory before the Pope died that he could resist the first attack on his own. When Alexander died,[2] he had accomplished three of these four things. He had killed as many of the dispossessed lords as he could lay hands on, and few had escaped; he had won over the Roman gentlemen, and he had the most numerous party in the College of Cardinals. And as to any fresh acquisition, he intended to become master of Tuscany, for he already possessed Perugia and Piombino, and Pisa was under his protection. And since he did not have to pay attention to France any longer (for the French had already been driven out of the kingdom of Naples by the Spaniards, and in this way both were compelled to buy his good will), he pounced on Pisa. After this, Lucca and Siena yielded at once, partly through hatred and partly through fear of the Florentines; and the Florentines would have had no remedy had he continued to prosper, as he was prospering the year that Alexander died, for he had acquired so much power and reputation that he would have stood by himself, and no longer have depended on the luck and the forces of others, but solely on his own power and ability.

But Alexander died five years after he had first drawn the sword. He left the duke with only the state of Romagna consolidated. The rest was in the air, hanging in the balance between two powerful hostile armies, while the duke himself lay gravely ill. The duke possessed such boldness and ability and knew so well how men are to be won or lost, and had laid down such firm foundations in so short a time, that if he had not had those armies on his back, or if he had been in good health, he would have overcome all difficulties. And it is clear that his foundations were good, for the Romagna awaited him for more than a month. In Rome, although but half alive, he remained secure; though the Baglioni, the Vitelli, and the Orsini came to Rome, they could not accomplish anything against him. Perhaps he could not choose the one he wanted to be Pope, but at least it should have been possible to prevent the one whom he did not want from being elected. If he had been in sound health at the death of Alexander, everything would have been easy for him—but instead he lay deathly ill. On the day that Julius II was elected, he told me that he had thought of everything that might occur at the death of his father, and had provided a remedy for every circumstance, except that he had never anticipated that at the time of his father's death, he would be at the edge of death himself.

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[1] *College of Cardinals* Body that elects the Pope.

[2] *Alexander died* Alexander VI died in 1503.

When all the actions of the duke are recalled, I do not know how to reproach him. Rather it appears to me, as I have said, that I ought to propose that he be imitated by all those who, through fortune or the troops of others, are raised to government. The duke, having a lofty spirit and far-reaching aims, could not have conducted himself otherwise or achieved greater results; only the shortness of the life of Alexander and his own sickness frustrated his designs. He who considers it necessary to secure himself in his new principality; to win friends; to overcome enemies either by force or fraud; to make himself beloved and feared by the people; to be followed and revered by the soldiers; to exterminate those who have power or reason to hurt him; to change the old order of things for a new one; to be severe and gracious, magnanimous and generous; to destroy a disloyal army and to create a new one; to maintain friendship with kings and princes in such a way that they will help him enthusiastically and will be careful not to offend him; he who desires all this cannot find a better example to follow than the actions of this man.

The duke can be blamed only for the election of Julius II, in whom he made a bad choice. Although it has been said he was not able to elect the Pope he preferred, he could have prevented any other from being elected Pope; and he ought never to have consented to the election of a cardinal whom he had injured or who had cause to fear him if they became pope. For men injure either from fear or hatred. He had injured, among others, San Pietro ad Vincula, Colonna, San Giorgio, and Ascanio.[1] Any one of the others, on becoming Pope, would have had to fear him, except Rouen[2] and the Spaniards; the latter from their relationship and obligations, the former from his influence (the kingdom of France having relations with him). Therefore, above all, the duke ought to have created a Spaniard Pope, and, failing him, he ought to have consented to Rouen and not San Pietro ad Vincula. He who believes that new benefits will cause great personages to forget old injuries is deceived. In this case, the duke erred in his choice, and it was the cause of his ultimate ruin.

Chapter 8: Concerning those who have obtained a principality through wickedness

I have spoken of certain methods whereby an ordinary citizen may become a prince—methods that are not entirely matters of fortune or virtue. There are two other methods of which I should say something here (I will also discuss one of them at greater length elsewhere, in discussing republics). The first of these occurs when a private citizen becomes prince through some wicked or nefarious ways, the second when a private citizen becomes prince through the favor of his fellow-citizens. I will illustrate the first of those by two examples—one ancient, the other modern—and not enter further into the subject. I consider these two examples will be enough for those who may be compelled to follow them.

Agathocles,[3] the Sicilian, rose to become King of Syracuse not from the position of an ordinary citizen but from a low and abject position. This man, the son of a potter, led a life of wickedness through a series of changes in his fortunes. But he accompanied his wickedness with so much ability of mind and body that, having devoted himself to the military profession, he rose through its ranks to be Praetor[4] of Syracuse. Once established in that position, he deliberately resolved to make himself prince and to hold on by violence to the position which had been given to him by universal consent, paying no attention to his obligations to others.[1] For this purpose he reached an agreement with Hamilcar,[2] the Carthaginian, who, with his army, was fighting in Sicily. One morning he assembled the people and senate of Syracuse, as if he had to discuss with them matters relating to the Republic, and at a given signal the soldiers killed all the senators and the richest citizens; with them dead, he seized and held the princedom of that city without any opposition from the citizens. And although he was twice defeated by the Carthaginians, and later besieged, not only was he able to defend his city, but leaving part of his men for its defense, he was able to use the rest of his men to attack Africa, and in a short time to free Syracuse. The Carthaginians, in a desperate state, were compelled to come to terms with Agathocles, and, leaving Sicily to him, had to be content with the possession of Africa.[3]

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[1] *San Pietro ad Vincula* Julius II had been Cardinal of San Pietro ad Vincula; *San Giorgio* Raffaells Riaxis; *Ascanio* Cardinal Ascanio Sforza.

[2] *Rouen* Georges d'Amboise.

[3] *Agathocles* King of Syracuse (317–289 BCE) and of Sicily (304–289 BCE).

[4] *Praetor* Chief law officer of the state—second in rank only to Consul.

No one who considers the actions and the genius of this man will see anything (or at most a very little) which can be attributed to fortune; Agathocles attained pre-eminence, as is shown above, not by anyone's favor, but step by step in the military profession. He made each step accompanied by a thousand troubles and perils; and afterwards he maintained his position by courageous and dangerous means. Yet it cannot be called virtue to slay fellow-citizens, to deceive friends, to be without faith, without mercy, without religion; such methods may gain empire, but not glory. Still, if the courage of Agathocles in entering into and extricating himself from dangers be considered, together with his greatness of mind in enduring overcoming hardships, it does not seem that he should be esteemed less than the most notable captain. Nevertheless, his barbarous cruelty, his inhumanity, and his many wicked deeds do not allow him to be celebrated among the most excellent men. What he achieved cannot be attributed either to fortune or to virtue.

In our times, during the rule of Alexander VI, Oliverotto da Fermo, having been left an orphan many years before, was brought up by his maternal uncle, Giovanni Fogliani, and in the early days of his youth was sent to be a soldier under Paolo Vitelli. The idea was that, after being trained under Paolo's discipline, Oliverotto might attain some high position in the military profession. After Paolo died, Oliverotto fought under his brother Vitellozzo, and in a very short time, being endowed with skill and a vigorous body and mind, he became a leader of troops. But since it appeared to him a paltry thing to serve under others, he resolved to seize Fermo, aided by some citizens of Fermo (who evidently preferred the slavery of their country to its liberty), as well as by the Vitelli. So he wrote to Giovanni Fogliani that, having been away from home for many years, he wished to visit him and his city, and to look into the matter of his inheritance. He said that, although he had not labored to acquire anything except honor, yet, in order that the citizens should see he had not spent his time in vain, he desired to come honorably, and so would be accompanied by one hundred horsemen, his friends, and retainers. He begged Giovanni to arrange that he should be received honorably by the citizens of Fermo, which would be not only to his honor, but also to that of Giovanni himself, who had raised him.

Giovanni did not fail in any duty toward his nephew; he had him received honorably by the Fermans, and he lodged him in his own house, where, having passed some days, and having arranged what was necessary for his wicked designs, Oliverotto gave a solemn banquet to which he invited Giovanni Fogliani and the chiefs of Fermo. When the meal and all the entertainment that is usual at such banquets were finished, Oliverotto artfully began certain grave discourses, speaking of the greatness of Pope Alexander and his son Cesare, and of their undertakings. After Giovanni and others replied, he suddenly arose, saying that such matters ought to be discussed in a more private place, and he withdrew to a private room. Giovanni and the rest of the citizens followed him. No sooner were they seated than soldiers emerged from hiding and slaughtered Giovanni and the others. After these murders Oliverotto, mounted on horseback, rode up and down the town and besieged the chief officials in the palace, so that the people were forced to obey him out of fear, and to form a government, of which he made himself the prince. He killed all those who might be able to harm him, and strengthened himself with new civil and military ordinances, in such a way that, in the year during which he held the principality, not only was he secure in the city of Fermo, but he had become formidable to all his neighbors. To destroy him would have been as difficult in the case of Agathocles if only Oliverotto had not allowed himself to be deceived by Cesare Borgia, who killed him along with the Orsini and Vitelli at Sinigaglia, as was stated above. Thus, one year after he had committed this parricide, he was strangled, together with Vitellozzo, whom he had made his teacher in virtue and wickedness.

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[1] *universal consent … obligations to others* He could have become prince by consent of the Senate, but chose not to, because that would have created obligations to them.

[2] *Hamilcar* Statesman (c. 270–228 BCE) and Carthaginian general during the First Punic War.

[3] *Africa* In this case, "Africa" means the region surrounding Carthage in North Africa, on the south shore of the Mediterranean Sea.

Some may wonder how it can happen that Agathocles, and his like, after infinite treacheries and cruelties, are able to live for so long secure in their own country, and are able to defend themselves from external enemies and never be conspired against by their own citizens. After all, many others have never been able to hold the state by means of cruelty even in peaceful times, still less in the uncertain times of war. I believe that this all depends on whether cruelty is badly or properly used. Cruel measures are properly used—if one might speak well of evil—when they are applied a single time, are necessary to one's security, and are not persisted in afterwards unless they can be turned to the advantage of the subjects. Cruel measures badly employed are those which, despite being few at the beginning, multiply with time rather than decrease. Those who practice the first system are able, by aid of God or man, to remedy their condition to some degree, as Agathocles did. It is impossible for those who follow the other system to maintain their position.

We should therefore note that, in seizing a state, the usurper ought to consider carefully which injuries it is necessary for him to inflict, and to do them all at one stroke so as not to have to repeat them daily. By not unduly unsettling men he will be able to reassure them, and win them to himself by offering them benefits. He who does otherwise, either from timidity or evil advice, is always compelled to keep the knife in his hand. He cannot rely on his subjects, and nor can they attach themselves to him, owing to their continued and repeated injuries. As a general rule, then, injuries ought to be inflicted all at one time, so that, being tasted less, they offend less; benefits ought to be given little by little, so that the flavor of them may last longer.

Above all, a prince ought to live among his people in such a way that no unexpected circumstances, whether good or evil, shall make him change; because if the necessity for this comes in troubled times, it will be too late to take harsh measures; and mild ones will not help you, for they will be seen to be forced from you, and no one will owe you any gratitude for them.

Chapter 9: Concerning a civil principality

But now let us consider the second case—where a leading citizen becomes the prince of his country, not by wickedness or any intolerable violence, but by the favor of his fellow citizens. This sort of rule may be called a civil principality; neither genius nor fortune is necessary to achieve this, but rather fortunate astuteness. I believe that such a principality is obtained either by the favor of the people or by the favor of the nobles. These two distinct parties are found in all cities. The people do not wish to be ruled or oppressed by the nobles, but the nobles wish to rule and oppress the people; and from these two opposite desires may arise in cities one of three results: a principality, self-government, or anarchy.

A principality is created either by the people or by the nobles, depending on which of the two groups has the opportunity. The nobles, seeing they cannot withstand the people, begin to support one of themselves, and they try to make him a prince, so that under his shadow they can satisfy their ambitions. The people, finding they cannot resist the nobles, also support one of themselves, and try to make him a prince so as to be defended by his authority. He who obtains sovereignty by the assistance of the nobles maintains himself with more difficulty than he who comes to it by the aid of the people, because the former finds himself with many around him who consider themselves his equals; because of this he can neither rule nor manage them as he likes. But he who reaches sovereignty by popular favor finds himself alone, and has none around him, or few, who are not prepared to obey him.

Moreover, it is impossible to satisfy the nobles by fair dealing, and without causing injury to others, but you can satisfy the people, for their object is more righteous than that of the nobles; the nobles wish to oppress, while the people desire only not to be oppressed. It is to be added also that a prince can never make himself secure against a hostile people, because they are too many, while he can secure himself from the nobles, as they are few in number. The worst that a prince may expect from a hostile people is to be abandoned by them; whereas from hostile nobles he has to fear not only abandonment, but also that they will rise against him. (Nobles, being in these affairs more far-seeing and astute than common people, always come forward in time to save themselves, and to obtain favors from him whom they expect to prevail.) Further, the prince is compelled to live always with the same people, but he can do well without the same nobles, being able to make and unmake them daily, and to give or take away their authority when it pleases him.

To make this point clearer, let me say that the nobles ought to be looked at mainly in two ways: they either commit themselves to your cause entirely, or they do not. Those who so commit themselves, and are not greedy and grasping, ought to be honored and loved; those who do not commit themselves may be dealt with in two ways. First, regarding those who fail to do this through weak-spirited cowardice and a natural lack of courage, you ought to make use of them, especially those who are good advisors; in prosperous times such people will bring you honor, but in adverse times you need not fear them. Second, regarding those who refuse to commit themselves because they are motivated by their own ambitious aims, this shows that they are giving more thought to themselves than to you. A prince ought to guard against this, and to fear them as if they were open enemies, because in adverse times they will always help to ruin him.

One who becomes a prince through the favor of the people ought to keep them friendly, and this he can easily do since they ask only not to be oppressed by him. But one who, in opposition to the people, becomes a prince by the favor of the nobles, ought, above everything, to seek to win the people over to himself; this he may do easily if he takes them under his protection. Because when men receive good from someone from whom they were expecting evil, they are bound more closely to their benefactor; thus the people quickly become more devoted to him than if he had been raised to the principality by their favors. The prince can win their affections in many ways. But as these vary according to the circumstances, one cannot give fixed rules, so I omit them; but, I repeat, it is necessary for a prince to have the people friendly, otherwise he has no security in adverse times.

Nabis,[1] Prince of the Spartans, withstood the attack of all Greece, and of one of Rome's most victorious armies, and defended his country and his government; to overcome this peril it was only necessary for him to secure himself against a few, but this would not have been sufficient if the people had been hostile. And do not let any one cast doubt on this statement with the trite proverb "He who builds on the people, builds on the mud." This is true when a private citizen makes a foundation there, and persuades himself that the people will free him when he is oppressed by his enemies or by the magistrates. In this he would find himself very often deceived, as happened to the Gracchi[2] in Rome and to Giorgio Scali[3] in Florence. But in the case of a prince who can command, and is a man of courage, undismayed in adversity, who does not fail in other qualifications, and who, by his resolution and energy, keeps up the spirit of the people—such a leader will never find himself deceived by them, and it will be shown that he has laid his foundations well.

These principalities are put in danger when they are passing from the civil to the absolute order of government, for such princes either rule personally or through magistrates. In the latter case their government is weaker and more insecure, because it rests entirely on the good will of those citizens who are appointed as magistrates, and who, especially in troubled times, can destroy the government with great ease, either by intrigue or open defiance. The prince cannot exercise absolute authority under tumultuous conditions, because the citizens and subjects, accustomed to receive orders from magistrates, are not inclined to obey him amid these confusions, and in difficult times there will always be a scarcity of men whom he can trust. Such a prince cannot rely upon what he observes in quiet times, when citizens had need of the state, because then everyone agrees with him, everyone makes promises, and when death is far distant they are all willing to die for him. But in troubled times, when the state has need of its citizens, then he finds but few. And this experiment is very dangerous, inasmuch as it can only be tried once. Therefore a wise prince ought to adopt a course of action that will ensure that his citizens will always need the state and him, in every kind of circumstance. Then he will always find them loyal.

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[1] *Nabis* Regent, then last king of Sparta (207–192 BCE). He was said to have made himself popular with the people through social reform and a redistribution of wealth, but he was also known for his cruelty.

[2] *the Gracchi* Brothers Tiberius Sempronius Gracchus, tribune in 133 BCE, and Gaius Sempronius Gracchus, tribune in 123 and 122 BCE. From a less privileged social class, they attempted to achieve reform (including land redistribution) by limiting the size of large landholdings. Both were killed in political riots—Tiberius in 133 BCE, and Gaius in 121 BCE.

[3] *Giorgio Scali* According to Machiavelli, Scali's tyrannical magistracy was ended in 1381 when the populace who had supported him turned against him for his "insolence"; at his execution, Machiavelli says, "he blamed himself for having confided too much in a people who were moved and corrupted by every voice, every act, and every suspicion" (*History of Florence*, Book 3, Section 20).

Chapter 10: Concerning the way in which the strength of all principalities ought to be measured

In examining the character of these principalities it is necessary to consider another point: whether a prince has enough power to support himself with his own resources, or whether he needs the assistance of others. Let me make myself quite clear: I count a prince as being able to support himself by his own resources if he can, either by abundance of troops or money, raise a sufficient army to join battle against anyone who comes to attack him. On the other hand, I count a prince as needing others if he cannot face the enemy in the field, but is forced to defend himself by sheltering behind city walls. The first case has been discussed, and I will say more later on. In the second case one can say nothing except to encourage such princes to provision and fortify their towns, and not on any account to defend the countryside. If a prince fortifies his town well, and manages the other concerns of his subjects in the manner I discussed, potential attackers must be very cautious; for men are always adverse to enterprises in which they foresee difficulties, and it cannot seem easy to attack one who has his town well fortified, and is not hated by his people.

The cities of Germany are completely independent; they own only a little country around them; they obey the emperor only when it suits them, and they do not fear the emperor or any other nearby power, because they are fortified in such a way that everyone thinks that it would be tedious and difficult to take them by assault. They have proper moats and walls and sufficient artillery, and they always keep enough food, drink, and fuel for a year in public depots. And beyond this, in order to keep the people quiet without loss to the state, and to support them, they always have the means of providing employment in jobs that are the life and strength of the city. In addition, they hold military exercises in high regard, and have many laws to ensure that they are maintained.

Therefore, a prince who has a strong city, and has not made himself hated, will not be attacked. Or if he is, the attacker will be driven off in disgrace, because things in this world change, and it is almost impossible to sustain a siege for a whole year with an idle army. Someone might object that if people with property outside the city see it burnt, they will not remain patient, and self-interest will make them forget the interests of their prince during a siege. To this I answer that a powerful and courageous prince will overcome all such difficulties by alternately giving hope to his subjects that the evil will not continue for long, and instilling fear of the cruelty of the enemy, all the while protecting himself skillfully from those subjects who seem to him to be too openly critical.

When the enemy has just arrived in such instances, the enemy will naturally at once burn and ruin the country. At that time the people's spirits are still hot and ready for defense; so there is even less reason for the prince to hesitate. After a time, when spirits have cooled, the damage is already done, the ills are incurred, and there is no longer any remedy. The people are then much more ready to unite with their prince, who appears to have obligations to them now that their houses have been burnt and their possessions ruined in his defense. For it is the nature of men to be bound by the benefits they confer as much as by those they receive. Therefore, if everything is well considered, it will not be difficult for a wise prince to keep the minds of his citizens steadfast from first to last, so long as he does not lack provisions and weapons for defense.

Chapter 11: Concerning ecclesiastical principalities

It only remains now to speak of ecclesiastical principalities. All difficulties relating to these occur prior to getting possession. They are acquired either by the prince's ability or by good fortune, and they can be held without either; for they are sustained by the ordinances of religion, which are so all-powerful, and of such a nature that the principalities may be held no matter how their princes behave and live. These princes alone have states and do not defend them, they have subjects and do not rule them. The states, although unguarded, are not taken from them, and the subjects, although not ruled, do not care; they have neither the desire nor the ability to alienate themselves from the state. Such principalities are the only completely secure and successful ones. But being upheld by powers beyond the understanding of the human mind, I shall speak no more of them; because they are exalted and maintained by God, it would be the act of a presumptuous and rash man to discuss them.

How had it come about that the Church has attained such greatness in temporal power, seeing that Alexander and the earlier Italian powers (not only those who have been called powers, but every baron and lord, even the weakest) have placed very little value on temporal power? Yet now a king of France trembles before the power of the church, which has been able to drive him from Italy, and to ruin the Venetians. Although this may be very well known, it doesn't seem superfluous to recall it in some detail.

Before Charles, King of France, invaded Italy, this country was under the dominion of the Pope, the Venetians, the King of Naples, the Duke of Milan, and the Florentines. These potentates had two principal anxieties: one, that no foreigner should enter Italy with his armies; the other, that none of the other Italian potentates should seize more territory. The greatest anxiety concerned the Pope and the Venetians. To restrain the Venetians, the union of all the others was necessary, as it was for the defense of Ferrara. To keep the Pope in check they made use of the barons of Rome, who, being divided into two factions, Orsini and Colonna, were constantly quarrelling. They kept the pontificate weak and powerless by standing with arms in their hands right under the eyes of the Pontiff. And although a courageous pope, such as Sixtus [IV],[1] might sometimes arise, neither fortune nor wisdom could rid him of these annoyances. And the short life of a pope is also a cause of weakness; for in ten years (the average reign of a pope) it is difficult for him to reduce the power of one of the factions. If, for example, one pope should almost destroy the Colonna, a new pope who was hostile to the Orsini would emerge and enable the Colonna to grow powerful again, but would still not have time to suppress them. This was the reason why the temporal powers of the pope were little respected in Italy.

But Alexander VI afterwards showed better than any of the other pontiffs throughout history how a pope with both money and arms could prevail. With Duke Valentino[2] as his instrument, and because of the invasion of the French, he brought about all those things which I have discussed above when describing the actions of the duke. And although he intended to benefit the duke, not the Church, nevertheless what he did contributed to the greatness of the Church, which, after his death and the ruin of the duke, became heir to the benefits of his labors.

Pope Julius came afterwards and found the Church strong. It possessed all the Romagna, the barons of Rome had been reduced to impotence, and various other factions had been wiped out by Alexander's force. He also found the way open to accumulate money in a manner such as had never been practiced before Alexander's time. Julius pursued these practices, and even improved on them. He intended to gain Bologna, to ruin the Venetians, and to drive the French out of Italy. All of these enterprises prospered for him, and he is even more praiseworthy, inasmuch as he did everything to strengthen the Church rather than any private person. He kept also the Orsini and Colonna factions within the bounds in which he found them. Although they had some intention to disturb things, nevertheless Julius held two things firm: first, the greatness of the church, with which he terrified them; and second, forbidding them to have their own cardinals, since it was these who had caused the disturbances. Whenever these factions have their cardinals they do not remain quiet for long, because cardinals foster factions both within Rome and outside of Rome, and the barons are compelled to support them. Thus the ambitions of church officials give rise to disorder and quarrels among the barons. For these reasons His Holiness Pope Leo[3] found the papacy extremely powerful, and it is to be hoped that, as others made it great in arms, he will make it still greater and more venerated by his goodness and his countless other virtues.

Chapter 12: Of the different types of troops and mercenaries

Having discussed the characteristics of principalities that I proposed to talk about at the beginning, and having considered in some degree the causes of their success or failure, and having shown the methods by which many have sought to acquire them and to hold them, it now remains for me to discuss generally the means of offense and defense which each of these principalities can adopt.

We have seen above how necessary it is for a prince to lay foundations well, otherwise he will necessarily come to ruin. The chief foundations of all states, new as well as old or composite, are good laws and good armies; and since there cannot be good laws where there are no good armies, where they are good armies there must be good laws. I shall leave the laws out of the discussion and shall speak of the armies.

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[1] *Sixtus [IV]* Francesco della Rovere (1414–84), Pope from 1471 until his death.

[2] *Duke Valentino* As Machiavelli mentions above, this is another name for Cesare Borgia.

[3] *Pope Leo* Giovanni de' Medici (1475–1521), Pope Leo X from 1513 until his death. Highly political, he worked to extend the Medici family influence. He is now known for his papal bull against Martin Luther and his failure to check the Protestant Reformation.

I say, therefore, that the armed forces with which a prince defends his state are either his own, or they are mercenaries, auxiliaries, or mixed troops. Mercenaries and auxiliaries are useless and dangerous. If one holds his state using these forces, one will stand neither firm nor safe; for they are disunited, ambitious and without discipline, unfaithful, valiant before friends, cowardly before enemies; they have neither the fear of God nor fidelity to men. Ruin is deferred only so long as the attack is; for in peace one is robbed by them, and in war by the enemy. The fact is, they have no other attraction or reason to remain in the field than a trifling wage, which is not sufficient to make them willing to die for you. They are ready enough to be your soldiers while you do not wage war, but if war comes they desert or run from the foe. I have no trouble in proving this, for the ruin of Italy has been caused by nothing else than resting all her hopes for many years on mercenaries. Although they formerly made some display and appeared valiant amongst themselves, yet when the foreigners came they revealed what they were. Thus it was that Charles [VIII], King of France, was easily able to seize Italy with a piece of chalk;[1] and he who said that this was the result of our sins[2] told the truth—but the sins were not the ones they imagined, but were those I have related. And as they were the sins of princes, it is the princes who have also suffered the penalty.

I wish to explain further the problems with this sort of army. The mercenary captains are either capable men or they are not; if they are, you cannot trust them, because they always aspire to their own greatness, either by oppressing you, who are their master, or oppressing others contrary to your intentions; but if the captain is not skilful, you are ruined in the usual way.

If it is argued that whoever is armed will act in the same way, whether mercenary or not, I reply that when arms have to be resorted to, either by a prince or a republic, then the prince ought to go in person and perform the duty of captain; the republic has to send its citizens, and when one is sent who does not turn out satisfactorily, it must replace him, and when one is worthy, the republic must restrain him so he does not exceed his authority. Experience has shown that only princes and armed republics make great progress, while mercenaries do nothing except damage; and it is more difficult for one of its citizens to take over a republic armed with an army of its own citizens than a republic with a foreign army. Rome and Sparta stood for many ages armed and free. The Swiss are very well armed and quite free.

The Carthaginians provide an example of an ancient use of mercenary armies. They were oppressed by their mercenary soldiers after the first war with the Romans,[3] although the Carthaginians had their own citizens for captains. After the death of Epaminondas, the Thebans made Philip of Macedon[4] captain of their army, and after victory he took away their liberty.

After the death of Duke Filippo,[5] the Milanese hired Francesco Sforza against the Venetians. He, having overcome the enemy at Caravaggio, allied himself with them to crush his own employers, the Milanese. His father, Sforza, who was a soldier for Queen Johanna of Naples, left her unprotected, and as a result she was forced to throw herself into the arms of the King of Aragon, in order to save her kingdom. And if it is objected that the Venetians and Florentines formerly extended their dominions with mercenary armies, without their captains seizing their principalities, I reply that the Florentines in this case have been favored by chance. Among the able leaders, whom they had reason to fear, some failed to conquer, some met with opposition, and others have turned their ambitions elsewhere. One who did not conquer was Giovanni Acuto;[6] since he did not conquer his fidelity cannot be proved; but every one will acknowledge that, had he conquered, the Florentines would have been at his mercy. Sforza always had the Bracceschi against him, so they checked each other. Francesco turned his ambition to Lombardy; Braccio[7] against the Church and the kingdom of Naples.

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[1] *with a piece of chalk* The French had a practice of marking houses in which troops were to be quartered with chalk. Machiavelli is implying here that the French found little Italian resistance to their invasion.

[2] *this was the result of our sins* Quote from Savonarola, who thought that the Italians' problems were punishment for their moral wickedness.

[3] *the first war with the Romans* The First Punic War (264–241 BCE).

[4] *Epaminondas ... Philip of Macedon* Epaminondas (c. 418–362 BCE) was a general and statesman who led Thebes to power and independence. Weakened by his wars, Thebes was taken over in 338 BCE by Philip II of Macedon (382–336 BCE).

[5] *Duke Filippo* Filippo Visconti (1392–1447), duke of Milan.

[6] *Giovanni Acuto* This is an Italianized version of the name of John Hawkwood, an English mercenary who fought in Italy beginning in 1360.

[7] *Braccio* Andrea Braccio da Montone (1368–1424), important mercenary leader and later Lord of Perugia, Prince of Capua, and Governor of the Abruzzi.

But let us turn to recent events. The Florentines appointed as their captain Paolo Vitelli, a most prudent man, who had risen from the position of private citizen to the greatest renown. If this man had taken Pisa, nobody can deny that it would have been proper for the Florentines to cultivate his friendship, for if he became the soldier of their enemies they had no means of resisting, and if they had engaged him, they would have to obey him. The Venetians, if their achievements are considered, will be seen to have acted safely and gloriously so long as they sent their own men to war, and fought courageously using their armed gentry populace. This was before they began to fight on land. When they began to fight on land they abandoned this virtue and followed the usual practices of waging war in Italy. And in the beginning of the expansion of their territory on the mainland, they did not have much to fear from their captains, because they did not have much territory but had a great reputation. But when they expanded, as under Carmignola, they had a taste of this mistake. On the one hand, they had found him a courageous man (they beat the Duke of Milan under his leadership); but on the other, knowing how he had lost his taste for waging war, they feared they would no longer conquer under him. Yet they could not dismiss him for fear of losing that which they had acquired. In order to secure themselves against him, they were compelled to murder him. Their captains later were Bartolomeo da Bergamo, Roberto da San Severino, the Count of Pitigliano, and the like; under them they had to fear not gain of territory but loss, as happened afterwards at Vailà,[1] where in one battle they lost what they had acquired with so much difficulty over eight hundred years. Because with soldiers such as these, conquests come slowly, long delayed and inconsequential, but losses tend to be vast and can happen with astonishing speed.

With these examples I have reached Italy,[2] which has been ruled for many years by mercenaries. I wish to discuss them more seriously, in order that, having seen their origin and progress, one may be better prepared to counteract them. You must understand that the empire has recently come to be repudiated in Italy, that the Pope has acquired more temporal power, and that Italy has been divided up into more states. Many of the great cities took up arms against their nobles, who, formerly favored by the emperor, kept them under control. The Church favored these cities so as to gain temporal power; in many others, citizens became princes. From this it came to pass that Italy fell partly into the hands of the Church and of several republics; and, since the priests making up the Church and the citizens making up the republics were both unaccustomed to bearing arms, both began to enlist foreigners.

The first who gave prestige to this sort of soldier was Alberigo da Conio,[3] a native of the Romagna. Trained by him were, among others, Braccio and Sforza, who in their time were the arbiters of Italy. After these came all the other captains who till now have directed Italy's armies; and the end of all their valor has been, that she has been overrun by Charles [VIII], robbed by Louis [XII], ravaged by Ferdinand[4] [II], and insulted by the Swiss. The principle that has guided them has been, first, to discredit the infantry so that they might increase their own prestige. They did this because, subsisting on their pay and without territory, they were unable to support many soldiers themselves, and a few infantry did not give them any authority; so they were led to employ cavalry. With a moderate cavalry force they were well-paid and honored; and it came to pass that in an army of twenty thousand soldiers, there were not to be found even two thousand foot soldiers. They had also used every art to lessen fatigue and danger to themselves and their soldiers, not killing in the fray, but taking prisoners and liberating without ransom. They did not attack towns at night, nor did the garrisons of the towns attack encampments at night; they did not surround a camp either with stockades or trenches, nor did they campaign in the winter. All these things were in line with their military code, and devised by them to avoid, as I have said, both fatigue and dangers; thus they have brought Italy to slavery and contempt.

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[1] *Vailà* The Venetians were badly defeated in the battle here (also known as the Battle of Agnadello) by the French in 1509.

[2] *With these examples I have reached Italy* The events mentioned in this section relate to the period of the "Italian Wars," beginning in about 1450 and lasting past the time Machiavelli wrote this work (1513). Italy was divided among rival states, the strongest of which were Venice; Milan (ruled by Ludovico Sforza); Florence, which gained considerably under the rule of Lorenzo the Magnificent; the Papal States, expanding under the political popes of the late fifteenth century; and Naples, ruled by the Aragonese. Continuing battles among the Italians weakened them all, and opened the way, beginning around 1490, for meddling in Italian affairs by the French (under Charles VIII, then Louis XII, then Francis I), the Germans (under Maximilian I, Emperor of the Holy Roman Empire), the Spanish (under Ferdinand of Aragon), and some cantons of Switzerland.

[3] *Alberigo da Conio* Alberigo da Barbiano, count of Cunio (d. 1409); influential in replacing foreign mercenary troops with Italian mercenaries.

[4] *Ferdinand* Ferdinand II (also known as Ferdinand of Aragon, 1452–1516), who unified Spain, gained control of several cities in Italy, and also gained control of large portions of the New World.

Chapter 13: Concerning auxiliary, mixed, and citizen soldiers

Auxiliaries are forces that one calls in from a powerful neighbor for aid and defense, and these are as useless as mercenaries. Auxiliaries were used recently by Pope Julius in the Ferrara enterprise. Having seen the failure of his mercenaries, he arranged for armed assistance from Ferdinand, King of Spain. These forces may be useful and good in themselves, but for him who summons them they are always disadvantageous; for losing, one is undone, and winning, one is their captive.

Although ancient histories are full of examples, I want to emphasize the recent case of Pope Julius II, because one cannot fail to see the peril to which he was subjected. Wishing to win Ferrara, he threw himself entirely into the hands of a foreigner. But he had the good fortune that a third development prevented him from suffering the results of his rash choice. After his auxiliaries were routed at Ravenna, the Swiss rose up and drove out the conquerors (against everyone's expectation), and so he did not become prisoner of his enemies, who had fled, nor of his auxiliaries, since he had conquered with other troops than theirs.

The Florentines, being completely unarmed, sent ten thousand Frenchmen to take Pisa, a plan which endangered themselves more than at any of their previous predicaments.

The Emperor of Constantinople,[1] to oppose his neighbors, sent ten thousand Turks into Greece. When the war was finished, the Turks were not willing to leave; this was the beginning of the servitude of Greece to the infidels.

Only those who have no desire to conquer should make use of these armed forces, for they are much more hazardous than mercenaries. With them ruin is assured; they are all united, and they all owe obedience to others. Mercenaries who have conquered, on the other hand, need more time and better opportunities to injure you; they are not united, they are found and paid by you, and the person whom you have made their head is not immediately able to assume enough authority to injure you. In conclusion, cowardice is the most dangerous quality in mercenaries; in auxiliaries, it is courage. The wise prince, therefore, has always avoided these soldiers and turned to his own and has been willing rather to lose using his own forces than to conquer using the forces of others, not deeming a victory real which is gained with foreign troops.

I shall never hesitate to cite Cesare Borgia and his actions. This Duke entered the Romagna with auxiliary troops, taking only French soldiers, and with them he captured Imola and Forli. But afterwards, because these forces did not appear reliable to him, he turned to mercenaries, judging them to be less dangerous, and enlisted the Orsini and Vitelli. But when he found them unreliable, unfaithful, and dangerous, he suppressed them and turned to his own men. The difference between these sorts of forces can easily be seen when one considers the difference there was in the reputation of the duke, on the one hand when he had French troops or when he had the Orsini and Vitelli, and on the other when he relied on his own soldiers, on whose fidelity he could always count. We find that his reputation grew and he was never esteemed more highly than when everyone saw that he was complete master of his own forces.

I did not intend to go beyond Italian and recent examples, but I am unwilling to omit Hiero, the Syracusan, he whom I have named above. This man, as I have said, having been made head of their army by the Syracusans, soon found out that a mercenary army, constituted like our Italian condottieri, was of no use. Since it appeared to him that he could neither keep them nor let them go, he had them all cut to pieces. Afterwards he made war with his own troops and not with soldiers belonging to others.

I wish also to call to mind an example from the Old Testament applicable to this subject. David[2] offered himself to Saul to fight Goliath, the Philistine champion. To give David courage, Saul offered him his own weapons; but David rejected them as soon as he had them on his back, saying he could make no use of them, and that he wished to meet the enemy with his own sling and his own knife. In conclusion, the arms of others either fail you, weigh you down, or tie you up.

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[1] *The Emperor of Constantinople* John VI Cantacuzenus (c. 1292–1383) was Byzantine emperor (1347–54). In his fight to become emperor, and to keep control later during civil war, he enlisted Turkish aid.

[2] *David* Ancient king of Israel (c. 1000 BCE?) who extended its territory and influence by a series of military victories. His story is found in several books of the Old Testament, especially 1 Samuel and 2 Samuel.

Charles VII,[1] the father of King Louis XI,[2] having by good fortune and valor liberated France from the English, recognized the necessity of arming himself with his own soldiers, and he established ordinances in his kingdom to procure cavalry and infantry. Afterwards his son, King Louis, abolished the infantry and began to enlist the Swiss. This mistake, followed by others, is now seen to have endangered the kingdom. By raising the reputation of the Swiss, he diminished the value of his own troops. He destroyed the infantry altogether and subordinated his cavalry to others. Being so accustomed to fighting along with the Swiss, the French felt that they could not conquer without them. Hence it arises that the French could not stand against the Swiss, and without the Swiss they did not test their chances against others. The armies of the French have thus become mixed, partly mercenary and partly national. This combined force is much better than mercenaries alone or auxiliaries alone, yet much inferior to one's own forces. And this example proves it: the kingdom of France would be unconquerable if Charles VII's military institutions had been enlarged or maintained.

But men, showing poor judgment when establishing a policy that looks good at first, cannot see the poison that is hidden in it, as I have said above of consumptive fevers. Therefore, if he who rules a principality cannot recognize evils until they are upon him, he is not truly wise; and this insight is given to few. And examination of the first causes of the fall of the Roman Empire will show that it began when they enlisted the Goths. From that time the vigor of the Roman Empire began to decline, and all the valor which had raised it passed away to others.

I conclude, therefore, that no principality is secure without its own soldiers; on the contrary, it is entirely dependent on good fortune, not having the valor which in adversity would defend it. It has always been the opinion and judgment of wise men that nothing can be so uncertain or unstable as fame or power not founded on one's own strength.[3] One's own forces are those which are composed either of subjects, citizens, or dependants; all others are mercenaries or auxiliaries. And the way to organize one's own forces will be easily found if one reflects on the rules I have suggested, and if one considers how Philip [II], the father of Alexander the Great,[4] and many republics and princes have armed and organized themselves. I have full confidence in their rules.

Chapter 14: That which concerns a prince on the subject of the art of war

A prince ought to have no other aim or thought than war and its organization and discipline. Nor should he study anything else; for this is the sole art that pertains to a ruler, with the power not only to maintain those who are born princes, but also often to enable private citizens to rise to that rank. It has been observed that when princes think more about luxury than of warfare they lose their states. The primary cause of losing power is the neglect of this art; and mastery of it enables the acquisition of a state.

Francesco Sforza, a private citizen, became Duke of Milan because he was armed; and his sons, because they avoided the hardships and troubles of arms, were both reduced from the rank of duke to that of private citizen. Among the many evils which being unarmed brings you is that it makes you contemptible; this is one of those disgraces against which a prince ought to guard himself, as I show later on. There is no comparison between the armed and the unarmed man. It would go against reason that an armed man should willingly obey one who is unarmed, or that an unarmed man should feel safe among armed servants. Because one is disdainful and the other suspicious, it is not possible for them to work well together. In like fashion a prince who does not understand the art of war, over and above the other misfortunes already mentioned, cannot be respected by his soldiers, and nor can he rely on them. He ought never, therefore, let the subject of war leave his thoughts; he ought to practice it not only in wartime but also in peacetime. This he can do in two ways, the one by action, the other by study.

As regards action, he ought above all things to keep his men well organized and drilled. He ought constantly to be hunting, by which he can accustom his body to hardships and learn something of the nature of localities, how the mountains rise, how the valleys open out, how the plains lie, and understand the nature of rivers and marshes. In all this he should take the greatest care.

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[1] *Charles VII* King of France (1403–61) from 1422 until his death.

[2] *King Louis XI* King of France (1423–83) from 1461 until his death.

[3] *nothing can be … one's own strength* Machiavelli gives a Latin version: "*Quod nihil sit tam infirmum aut instabile quam fama potentiae non sua vi nixae,*" somewhat misquoting the *Annals* of Tacitus 13, 19.

[4] *Alexander the Great* King of Macedonia (356–323 BCE), Alexander conquered large portions of the Greek world.

This knowledge is useful in two ways. First, he comes to know his country, and is better able to defend it. Second, by means of the knowledge and observation of his own local area, it will be easy for him to understand any other area which he must study later, because the hills, valleys, and plains, and rivers and marshes that are, for instance, in Tuscany, have a certain resemblance to those of other lands, so that with a knowledge of the different aspects of one area he can easily arrive at a knowledge of others. The prince who lacks this skill lacks an essential skill which a captain should possess, for it allows him to surprise his enemy, to select quarters, to lead armies, to organize the battle, and to besiege towns to his advantage.

Among other praises which writers have bestowed on Philopoemen,[1] Prince of the Achaeans, he has been commended because in time of peace he never had anything on his mind except methods of waging war. When he was in the country with friends, he often stopped and reasoned with them: "If the enemy should be upon that hill, and we should find ourselves here with our army, who would have the advantage? How should one best advance to meet the enemy, without breaking formation? If we should wish to retreat, how ought we to set about it? If they should retreat, how ought we to pursue?" And he would set forth to them, as he went, all the contingencies that might arise for an army; he would listen to their opinion and state his, accompanying it with reasons. These continual discussions meant that there could never arise unexpected circumstances for him to deal with in time of war.

As exercise for the intellect, the prince should read histories, and study there the actions of illustrious men, to see how they have borne themselves in war, and to examine the causes of their victories and defeats, so as to avoid the latter and imitate the former; and above all to do what some illustrious men have done: emulating their predecessors, and remembering their achievements and deeds. It is said that in this way Alexander the Great imitated Achilles, Caesar imitated Alexander, and Scipio[2] imitated Cyrus. Whoever reads Xenophon's[3] life of Cyrus will recognize that the glory of Scipio's life was imitation—that in chastity, affability, humanity, and generosity Scipio conformed to those things written of Cyrus by Xenophon.

A wise prince should follow such methods, and never be idle in peacetime, but rather work to increase his resources then so that they are available to him in adversity—so that if fortune changes it may find him prepared to resist her blows.

Chapter 15: Concerning things for which men, and especially princes, are praised or blamed

It remains now to see what ought to be the rules of conduct for a prince towards his subjects and his allies. As I know that many have written on this point, I expect I shall be considered presumptuous in mentioning the subject again, especially because, in discussing it, I shall depart from the methods of others. But because I intend my writing to be useful for the reader, it appears to me to be more appropriate to pursue real truth rather than imaginary matters. Many have pictured republics and principalities which in fact have never been known or seen, ignoring the great difference between how one ought to live and how one lives in fact. Neglecting to consider what *is* done because one is concentrating on what *ought to be* done is more likely to lead to ruin than to preservation. A man who wishes to act entirely on the basis of his declarations about morality will soon meet with destruction among those with no such scruples.

Therefore it is necessary that a prince who wishes to hold his own know how to do wrong, and to make use of such knowledge when necessary. Putting aside imaginary matters concerning a prince, and discussing only those that are real, I say that all men when they are spoken of are judged in terms of those qualities which bring them either blame or praise. Such is especially true of princes, because of their high status. Thus it is that one is reputed generous, another miserly (I use a Tuscan term *misero*, because *avaro* in our language means someone who wants to possess by robbery, while *misero* means someone who avoids using what he has). One is reputed generous, one rapacious; one cruel, one compassionate; one faithless, another faithful; one effeminate and cowardly, another bold and brave; one affable, another haughty; one lascivious, another chaste; one sincere, another cunning; one hard, another easy; one grave, another frivolous; one religious, another unbelieving, and the like. And I know that everyone will agree that it would be most praiseworthy in a prince to exhibit all the qualities above that are considered good. But because such qualities can neither be entirely possessed nor completely observed—human conditions do not permit it—it is necessary for him to be prudent enough to know how to avoid scandal because of vices which would result in his losing his state. He should also avoid, if possible, those vices which would not result in this loss. But if this is not possible, he need not overly concern himself with those less serious vices. Moreover, he need not worry about being reproached for those vices without which it would be difficult to save the state; for if everything is considered carefully, it will be found that something which looks like virtue, if followed, would result in ruin; while something else, which looks like vice, when pursued brings him security and prosperity.

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[1] *Philopoemen* General of the Achaen league (252–182 BCE), leader of a failed attempt to resist Roman domination of Greece.

[2] *Achilles* Hero of Homer's *Iliad*; *Caesar* Julius Caesar (102–44 BCE), Roman general, statesman, and historian, who led Roman forces in establishing control over large areas of Europe, was established by the people as dictator for life and then assassinated by republican political enemies; *Scipio* Scipio Africanus (236–183 BCE), renowned Roman general who defeated Hannibal.

[3] *Xenophon* Soldier and historian (c. 431–355 BCE); the reference here is to his *Anabasis*.

Chapter 16: Concerning generosity and miserliness

Let me begin with the first of the above-mentioned qualities; I say that it would be well to be reputed generous. Nevertheless, generosity exercised in a way that does not bring you the reputation for it, injures you; if one exercises it honestly as it should be exercised, it may not become known, and you will not avoid criticism for its opposite. Therefore, anyone wishing to maintain a reputation for generosity must omit nothing in the way of magnificent display; a prince thus inclined will use up all his property in such acts, and will be compelled in the end, if he wishes to maintain a reputation for generosity, to unduly burden his people, and tax them, and do everything he can to get money. This will soon make him hateful to his subjects, he will become poor, and he will be little valued by anyone. Thus having offended many and rewarded few with his generosity, he will feel the effects of the people's unrest and become imperilled at the first sign of danger. Recognizing this himself, and wishing to draw back from it, he will run into criticism for being miserly.

Since a prince is unable to exercise the virtue of generosity in such a way that it is recognized without damaging his position, he should not be afraid of being considered miserly. That is the wise course to take. For in time he will come to be considered more generous: with good economic management, his revenues will be sufficient; he can defend himself against all attacks, and he will be able to engage in enterprises without burdening his people. Thus he will be able to be generous to the many people from whom he does not take, and miserly towards the few to whom he does not give.

We have not seen great things done in our time except by those who have been considered miserly; the rest have failed. Pope Julius the Second was assisted in reaching the papacy by a reputation for generosity, yet he did not strive afterwards to keep it up. When he made war on the King of France, and when he engaged in many other wars, he did so without imposing any extraordinary tax on his subjects, for he funded his additional expenses out of his long thriftiness. The present King of Spain would not have undertaken or successfully carried out so many enterprises if he were extravagant enough to have a reputation for generosity. Therefore, in order that a prince does not have to rob his subjects, that he can defend himself, that he does not become poor and abject, and that he is not forced to become greedy and grasping, a prince ought to consider the reputation for miserliness unimportant. It is one of those vices which will enable him to govern.

If anyone should say: "Caesar obtained empire by generosity, and many others have reached the highest positions by having been generous, and by being considered so," I answer: "Either you are a prince in fact, or you are on the way to becoming one. In the first case this generosity is dangerous, in the second it is indeed necessary to be considered generous. Caesar was one of those who wished to become pre-eminent in Rome; but if he had not moderated his expenses after taking power, he would have destroyed his government." And if anyone should reply: "Many have been princes, and have done great things with armies, who have been considered very generous," I reply: Either a prince spends his own money, or his subjects', or someone else's. In the first case he ought to be sparing, in the second he ought not to neglect any opportunity for generosity. And to the prince who goes forth with his army, supporting it by pillage, sack, and extortion, dealing with others' belongings, this generosity is necessary, otherwise he would not be followed by his soldiers. And of that which is neither yours nor your subjects' you can be a generous donor, as were Cyrus, Caesar, and Alexander; because it does not take away your reputation if you squander that of others, but adds to it; it is only squandering your own that injures you.

There is nothing that destroys so rapidly as generosity, for as you exercise it you lose the power to do so, and so become either poor or despised, or else, in avoiding poverty, grasping and hated. A prince should guard, above all things, against being despised and hated; and generosity leads you to both. Therefore it is wiser to have a reputation for miserliness, which brings criticism without hatred, than to be compelled, through seeking a reputation for generosity, to incur a name for rapacity and thereby become detested.

Chapter 17: Concerning cruelty and mercy, and whether it is better to be loved than feared

Coming now to the other qualities mentioned above, I say that every prince ought to desire to be considered merciful and not cruel. Nevertheless, he ought to take care not to misuse this mercy. Cesare Borgia was considered cruel, but his cruelty brought order to the Romagna, unified it, and restored it to peace and loyalty. And if this is considered correctly, he will be seen to have been much more merciful than the Florentine people, who, to avoid a reputation for cruelty, permitted Pistoia[1] to be destroyed. So long as a prince keeps his subjects united and loyal, he ought not to mind the criticism of cruelty. If he displays cruelty in a few cases, he will be more merciful than those who, through too much mercy, allow disorder to arise, and murders or robberies follow; these are liable to injure everyone, while executions ordered by a prince offend the individual only.

A new prince, above all, will find it impossible to avoid a reputation for cruelty, because new states are full of dangers. Hence Virgil, through the mouth of Dido, excuses the inhumanity of her reign because it is new, saying "*Res dura, et regni novitas me talia cogunt Moliri, et late fines custode tueri*."[2]

Nevertheless the prince ought to be slow to believe and to act. Nor should he himself show fear; instead he should proceed in a temperate manner with prudence and humanity, so that too much confidence may not make him incautious and too much distrust render him intolerable.

A question arises here: is it better to be loved than feared, or better to be feared than loved? It may be answered that one should wish to be both. But, because it is difficult to unite them in one person, it is much safer to be feared than to be loved, when one of the two must be dispensed with. This is to be asserted in general of men: they are ungrateful, fickle, false, cowardly, and covetous. As long as you succeed they are yours entirely; they will offer you their blood, property, life and children, as is said above, when the need is far distant; but when it approaches they turn against you. And that prince who, relying entirely on their promises, has neglected other precautions, is ruined; friendships that are obtained by payments, and not by greatness or nobility of mind, may indeed be earned, but they are not secured, and in time of need cannot be relied upon. Men are less hesitant to offend someone who is beloved than someone who is feared, for love is preserved by a link of obligation which, owing to the baseness of men, is broken at every opportunity for their advantage. Fear, on the other hand, preserves you with a dread of punishment which never fails.

A prince ought to inspire fear in such a way that, if he does not win love, he nevertheless avoids hatred, because he can endure being feared easily while he is not hated. This will occur as long as he leaves alone the property of his subjects, and their women. When it is necessary for him to proceed against the life of someone, he must do it with proper justification and manifest cause. But above all things he must keep his hands off the property of others, because men more quickly forget the death of their father than the loss of their patrimony. Besides, pretexts for taking away property are never lacking; he who has once begun to live by robbery will always find pretexts for seizing what belongs to others. Reasons for taking lives, on the other hand, are more difficult to find and sooner lapse. But when a prince is with his army, and has a multitude of soldiers under control, then it is quite necessary he not worry about the reputation of cruelty, for without it he would never keep his army united or attentive to its duties.

Among the wonderful deeds of Hannibal[3] is this one. He led an enormous army, composed of many various races of men, to fight in foreign lands, and no dissensions arose either among them or against the prince, either in times of good fortune or bad. This success resulted from nothing else than his inhuman cruelty, which, with his boundless courage, made him revered and terrible in the sight of his soldiers: without that cruelty, his other virtues would not have been sufficient to produce this effect. Short-sighted writers admire his deeds from one perspective and from another condemn the principal cause of them.

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[1] *Pistoia* A city under Florentine rule. Florence forcibly ended a factional conflict there in 1501–02.

[2] *Res dura … custode tueri* "Harsh necessity, and the newness of my kingdom, force me to do such things and to guard my frontiers everywhere" (Virgil, *Aeneid* 1, 563–64).

[3] *Hannibal* Commander of the Carthaginian army (247–183 BCE) during the Second Punic War against Rome.

That other virtues would not have been sufficient in such a case may be shown too by the case of Scipio, a most excellent man, not just of his own time, but of all times. Nevertheless, his army rebelled against him in Spain; the cause was he was too tolerant, and gave his soldiers more license than is consistent with military discipline. For this he was upbraided in the Senate by Fabius Maximus,[1] and called the corrupter of the Roman soldiery. The Locrians were destroyed by one of Scipio's officers, but he did not avenge this or punish the insolence of the officer. This was the result of his easy nature, so much so that it was said in the Senate by someone wishing to excuse him, that there were many men who knew how not to err better than they knew how to correct the errors of others. Scipio's nature would eventually have destroyed his fame and glory, if he had manifested it during the empire; but since he was under the control of the Senate, this injurious characteristic not only concealed itself, but contributed to his glory.

Returning to the question of being feared or loved, I conclude with this: men love according to their own free will, but fear according to the will of the prince. Therefore a wise prince should base his rule on that which is in his own control and not in the control of others. He must endeavor only to avoid hatred, as I said.

Chapter 18: Concerning the way in which princes should keep their word

Everyone knows how praiseworthy it is for a prince to act in good faith—to be honest and keep his word, and to live with integrity and not with deceit. Nevertheless our experience has been that those princes who have done great things have held good faith of little account, and have known how to cunningly manipulate men's minds. In the end they have overcome those who have relied on their word.

You must know there are two ways of fighting—one by the law, the other by force. The first method is appropriate for men, the second for beasts. But because the first is frequently not sufficient, it is often necessary to have recourse to the second. Therefore, it is necessary for a prince to understand how to avail himself of the beast and the man. This has been figuratively taught to princes by ancient writers, who describe how Achilles and many other princes of old were given to the Centaur[2] Chiron to nurse. The centaur brought them up in his discipline; just as they had for a teacher one who was half beast and half man, so it is necessary for a prince to know how to make use of both natures. A prince who has one without the other does not last.

A prince who has to act knowingly as a beast, ought to choose the fox and the lion. The lion cannot defend himself against snares, and the fox cannot defend himself against wolves. Therefore, it is necessary to be a fox to discover the snares and a lion to terrify the wolves. Those who rely simply on the lion lack understanding.

Therefore a wise lord cannot, nor ought he to, keep faith when doing so may be turned against him, and when the reasons that caused him to pledge his good faith exist no longer. If men were entirely good this precept would not hold, but because they are bad, and will not keep faith with you, you too are not bound to observe it with them. There will always be legitimate reasons for a prince to fail to keep his word. Endless modern examples could be given, showing how many treaties and engagements have been made void and of no effect through the faithlessness of princes; he who has known best how to employ the fox has succeeded best.

But it is necessary to know how to disguise this characteristic well, and to be a great pretender and dissembler. Men are so simple-minded, and so subject to present necessities, that he who seeks to deceive will always find someone who will allow himself to be deceived. One recent example I cannot pass over in silence. Alexander VI did nothing else but deceive men, and never thought of doing otherwise, and always found victims; there never was a man who had greater power in asserting, or who with greater oaths would affirm a thing, yet would observe it less. Nevertheless his deceits always succeeded according to his wishes, because he well understood this side of humanity.

Therefore, it is not necessary for a prince to have all the good qualities I have enumerated, but it is necessary for him to appear to have them. I shall dare to say this also, that to have them and always to observe them is injurious, while to *appear* to have them is useful. The prince may appear merciful, faithful, humane, religious, upright, and even be so, but he must always keep a mind so disposed that should it become necessary for him not to be so, he will know how to change to the opposite.

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[1] *Fabius Maximus* Roman politician and soldier (c. 275–203 BCE); consul five times, and twice dictator.

[2] *Centaur* In Greek mythology, a half horse, half man.

You have to understand this: a prince, especially a new one, cannot behave in all those ways for which men are esteemed; in order to maintain the state, he is often forced to act contrary to faith, friendship, humanity, and religion. Therefore it is necessary for him to have a mind ready to turn itself accordingly as the winds and variations of fortune force it. Yet, as I have said above, he should not diverge from the good if he can avoid doing so. It is only if he is compelled to diverge from the good that he must know how to go about it.

For this reason a prince ought to take care that he never let anything slip from his lips that is not full of the above-named five qualities, so that he may appear to anyone who sees and hears him altogether merciful, faithful, humane, upright, and religious. There is nothing more necessary to appear to have than this last quality, since men judge generally more by eye than by hand—anyone can see you, but few can be so close to you that they can touch you. Every one sees what you appear to be, few really know what you are, and those few dare not oppose themselves to the opinion of the many, who have the majesty of the state to defend them. In the actions of all men, and especially of princes, which it is not prudent to challenge, one judges by the result.

For that reason, let a prince have the credit of conquering and holding his state; then his means will always be considered honest, and he will be praised generally, because the vulgar are always taken by what a thing seems to be and by its results; and in the world there are only the vulgar, for the few have no place when the many hold sway.

One prince[1] of the present time, whom it is not well to name, never preaches anything else but peace and good faith, and to both he is most hostile. Either of them, had he kept it, would have deprived him of reputation and kingdom many a time.

Chapter 19: That one should avoid being despised and hated

I have now spoken of the more important characteristics mentioned above, and will discuss the others briefly. The general idea here is that the prince must consider, as I said before, how to avoid what will make him hated or treated with contempt; if he succeeds at this, he will have done his part, and need not fear danger from other vices.

Above all, people would hate him for being greedy and grasping, as I have said—for usurping his subjects' property and women; he must abstain from both. When neither their property nor honor is touched, the majority of men live content, and he has only to contend with the ambition of a few, whom he can easily control in many ways.

What makes him despised is being considered changeable, frivolous, effeminate, mean-spirited, irresolute, from all of which a prince should guard himself as carefully as a sailor avoids reefs. He should try to show greatness, courage, gravity, and fortitude in his actions; and in his private dealings with his subjects let him show that his judgments are irrevocable, and maintain a reputation for himself that would prevent anyone from hoping either to deceive him or to get round him.

That prince is highly esteemed who conveys this impression of himself, and he who is highly esteemed is not easily conspired against; provided it is well known that he is an excellent man and revered by his people, he can be attacked only with difficulty. For this reason a prince ought to have two fears: one internal, regarding his subjects, and the other external, regarding foreign powers. From the latter he is defended by being well armed and having good allies, and if he is well armed he will have good friends. And internal affairs will always remain quiet when things are quiet externally, unless they were already disturbed by conspiracy. And even if there is external trouble, if he has carried out his preparations and has lived as I have said, as long as he does not despair, he will resist every attack, just as I said Nabis the Spartan did.

But concerning his subjects, when external affairs are disturbed, he has to fear only that they will conspire secretly; and a prince can easily guard himself from this by avoiding being hated and despised, and by keeping the people satisfied with him—this, as I said above at length, must be accomplished. And one of the most efficacious remedies that a prince can have against conspiracies is not to be hated and despised by the people, for conspirators against a prince always expect to please the people by his removal. But when the conspirator can look forward only to offending the people he will not have the courage to take such a course, for the difficulties that confront a conspirator are infinite. As experience shows, there have been many conspiracies, but few successful ones. The reason for this is that if you want to embark on a conspiracy, you cannot act alone; you must have co-conspirators, and you naturally look for them among those you believe to be malcontents. But as soon as you have disclosed your intentions to a malcontent you have given him the means for contenting himself, for he can seek his own advantage by denouncing you. Gain in this way is assured, while participation in the conspiracy is risky and dangerous. So a co-conspirator who keeps faith with you must be a very rare friend of yours, or a thoroughly obstinate enemy of the prince.

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[1] *One prince* Often taken to be Ferdinand of Spain.

Putting matters briefly: on the side of the conspirator, there is nothing but fear, jealousy, and prospect of punishment to terrify him; but on the side of the prince there is the majesty of the principality, the laws, the protection of friends and of the state to defend him; so that, adding to all these things the popular goodwill, it is impossible that anyone should be so rash as to conspire. For whereas in general the conspirator has much to fear before carrying out his plot, in this case he has more to fear afterwards; his plot will make the people his enemy and thus he will have no hope for escape.

Endless examples could be given on this subject, but I will content myself with one, which occurred within the memory of our fathers. Annibale Bentivoglio, who was prince in Bologna (grandfather of the present Annibale), was murdered by the Canneschi, who had conspired against him. Not one of his family survived but Giovanni,[1] who was then a child. Immediately after the assassination the people rose and murdered all the Canneschi. This sprung from the popular goodwill which the house of Bentivoglio enjoyed in those days in Bologna. Nobody remained there after the death of Annibale who was capable of ruling the state; but the good will of the family was so great that when the Bolognese, who were aware that one of the family, believed to be the son of a blacksmith, lived in Florence, they sent to Florence for him, and installed him as the ruler of the city. He ruled until Giovanni came of age.

For this reason I consider that a prince ought to reckon conspiracies of little account when his people hold him in esteem; but when the people are vehemently hostile and bear hatred towards him, he should fear everything and everybody. Well-ordered states and wise princes have taken every care not to drive the nobles to desperation, and to keep the people satisfied and contented; this is one of the most important concerns a prince can have.

Among the best ordered and governed kingdoms of our times is France; in it are found many good institutions on which the liberty and security of the king depend. The foremost of these institutions is the parliament. Its authority is of great importance; the founder of the kingdom, knowing the ambition of the nobility and their boldness, thought that a bit in their mouths would be necessary to hold them back. On the other side, knowing the people's hatred of the nobles, founded in fear, he wished to protect them. Yet he was not anxious for this to be the particular concern of the king. Therefore, to protect himself against blame from the nobles for favoring the people, and from the people for favoring the nobles, he set up an arbiter,[2] who could beat down the great and favor the lesser without burdening the king. It is not possible to have a better or a more prudent arrangement, or a greater source of security for the king and kingdom. One can draw another important conclusion from this: princes ought to leave distasteful tasks to others, and keep the pleasant ones for themselves. And further, I consider that a prince ought to cherish the nobles, but not so as to make himself hated by the people.

It may appear, perhaps, to some who have examined the lives and deaths of the Roman emperors that many of them provide examples contrary to my opinion, in that some of them have lived nobly and showed great qualities of soul, but nevertheless have lost their empire or have been killed by subjects who have conspired against them. Wishing, therefore, to answer these objections, I will recall the characters of some of the emperors, and will show that the causes of their ruin were not different from those I have already mentioned; and I will bring forward noteworthy matters for those who study those times.

It seems to me sufficient to take all those emperors who succeeded to the throne from Marcus the philosopher down to Maximinus; they were Marcus and his son Commodus, Pertinax, Julian, Severus and his son Antoninus Caracalla, Macrinus, Heliogabalus, Alexander, and Maximinus.[3]

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[1] *Giovanni* Giovanni Bentivogli (1438–1508), ruler of Bologna from 1462 to 1506.

[2] *arbiter* That is, the Parliament.

[3] *Marcus the philosopher* Marcus Aurelius, emperor from 161 to 180; *Commodus* Son of Marcus Aurelius, ruled from 180 to 193; *Pertinax* Ruled next for a short time; *Julian* Didius Julainus, ruled next for a short time; *Severus and his son Antoninus Caracalla* Septimus Severus ruled from 193 to 211, his son Antonius (nicknamed Caracalla) from 211 to 217; *Macrinus* Ruled next for a little over a year; *Heliogabalus* Also known as Elagabalus, ruled from 218 to 222; *Alexander* Severus Alexander ruled from 222 to 235; *Maximinus* Maximinus Thrax ruled until 238.

We should note first that in other principalities only the ambition of the nobles and the insolence of the people have to be contended with, but the Roman emperors had a third difficulty: having to deal with the cruelty and greed of their soldiers, a matter so beset with difficulties that it was the ruin of many. It was difficult to satisfy both the soldiers and the people, because the people loved peace, and for this reason they loved the unambitious prince, while the soldiers loved the warlike prince who was bold, cruel, and rapacious, and were quite willing to see him exercise these characteristics against the people, so that they could get double pay and give vent to their greed and cruelty. So it happened that those emperors who, either by nature and family or by experience, possessed no great reputation, were always overthrown. Most of them, especially those who had come to power recently as new princes, recognizing the difficulty of these two opposing factions, were inclined to appease the soldiers, caring little about injuring the people. This course was necessary, because, as princes cannot help being hated by someone, they ought, first, to avoid being hated by everyone, and when they cannot manage this, they ought to try hard to avoid the hatred of the most powerful. As a result, those emperors who through inexperience needed special support allied themselves more readily with the soldiers than with the people. Whether this course turned out to be advantageous for them or not depended upon whether the prince knew how to maintain authority over the soldiers.

For these reasons Marcus [Aurelius], Pertinax, and Alexander—all men who lived modest lives, all lovers of justice, enemies of cruelty, humane, and benign—all except Marcus came to a sad end. Marcus alone lived and died honored, because he had succeeded to the throne by right of birth, and owed nothing either to the soldiers or the people. Afterwards, being respected because of his many virtues, he always kept both groups in their places, and was neither hated nor despised.

But Pertinax was made emperor against the wishes of the soldiers. They had become accustomed to a life free from moral restraint under Commodus, and could not endure the honest life to which Pertinax wished to restrict them. Hating him for this reason, and additionally feeling contempt for his old age, they overthrew him at the very beginning of his administration.

Here it should be noted that hatred is acquired as much by good works as by bad ones. Therefore, as I said before, a prince wishing to keep his state is very often forced to do evil; for when the group you need to support you is corrupt—it may be either the people or the soldiers or the nobles—you have to gratify their corrupt inclinations; to act according to the principles of good works would harm you.

But consider Alexander, a man acknowledged to be of great good. Among the good deeds credited to him is this: that in the fourteen years he held the empire, he put no one to death without trial. Nevertheless, being considered effeminate and a man who allowed himself to be governed by his mother, he was despised, the army conspired against him, and murdered him.

Consider now the characters of the opposite sort of Commodus, Severus, Antoninus Caracalla, and Maximinus. You will find them all cruel and rapacious—men who, to satisfy their soldiers, did not hesitate to commit every kind of iniquity against the people. All except Severus came to a bad end; Severus had so much ability that he reigned successfully, keeping the soldiers loyal, although he oppressed the people. His valor made him so much admired that the people were astonished and awed and the soldiers respectful and satisfied. And because the actions of this man, as a new prince, were great, I wish to show briefly how well he knew how to play the parts of the fox and the lion—the natures, as I said above, that a prince must imitate.

Learning of the indecisiveness of the Emperor Julian, he persuaded the army in Slavonia, of which he was captain, that it would be right to go to Rome and avenge the death of Pertinax, who had been killed by the praetorian soldiers. Under this pretext, without appearing to aspire to the throne, he moved his army to Rome, and reached Italy before it was known that he had departed. On his arrival at Rome, the Senate, through fear, elected him emperor and killed Julian. After this Severus, who wished to make himself master of the whole empire, faced two problems—one in Asia, where Niger, head of the Asiatic army, had himself proclaimed emperor; the other in the west where Albinus also aspired to the throne. Since he considered it dangerous to declare himself hostile to both, he decided to attack Niger and to deceive Albinus. To the latter he wrote that, having been elected emperor by the Senate, he was willing to share that dignity with him and send him the title of Caesar. Moreover, he said that the Senate had made Albinus his coequal. Albinus accepted these claims as true. But after Severus had conquered and killed Niger, and settled matters in the east, he returned to Rome and complained to the Senate that Albinus did not recognize the benefits that he had received, and had treacherously sought to murder him; so, Severus claimed, he must punish Albinus for this ingratitude. Afterwards he sought him out in France, and took both his government and his life. Anyone who carefully examines the actions of Severus will find him a most savage lion and a most cunning fox; he will be found feared and respected by everyone, and not hated by the army; so nobody should be surprised that he, the new emperor, could hold on to his empire so well, because his great reputation always protected him from that hatred which the people might have conceived against him for his violence.

His son Antoninus was a most eminent man, and had very excellent qualities, which made him admirable in the sight of the people and acceptable to the soldiers. He was a warlike man, inured to fatigue, despising delicate food and other luxuries; this made him loved by the armies. Nevertheless, his ferocity and cruelty were so great, unprecedented even (after countless individual murders, he slaughtered a large number of the people of Rome and all those of Alexandria), that he became hated by the whole world. He also was feared by those he had around him, to such an extent that a centurion murdered him in the midst of his army.

I emphasize that deaths like this, deliberately inflicted by a determined and desperate individual, cannot be avoided by princes, because anyone who does not fear to die can inflict them. But a prince need not fear them greatly because they are very rare; he has only to be careful not to commit any grave injury against those whom he employs or has around him in the service of the state. Antoninus had not taken this care, but had scornfully killed a brother of that centurion, whom he also threatened daily, yet retained among his bodyguards. This, it turned out, was a rash thing to do, and proved the emperor's ruin.

But we now come to Commodus. It should have been very easy for him to hold on to the rule of the empire, for, being the son of Marcus, he had inherited it, and he had only to follow in the footsteps of his father to please his people and soldiers. But, being by nature cruel and brutal, he turned to pleasing the soldiers and corrupting them, so that he might indulge his greediness at the people's cost. On the other hand, he failed to maintain his dignity, often descending into the arena to compete with gladiators, and doing other vile things unworthy of the imperial majesty. Thus, the soldiers viewed him with contempt, and being hated by one party and despised by the other, he was conspired against and killed.

A discussion of the character of Maximinus remains. He was a very warlike man, and the armies, being disgusted with the softness of Alexander, of whom I have already spoken, killed him and elected Maximinus to the throne. He did not hold it for long, for two things made him hated and despised: first, he was of low birth and had tended sheep on Thrace—this was well known to all, bringing him the contempt of everyone and causing him to lose considerable dignity in everyone's eyes; second, at the beginning of his rule he delayed going to Rome to take possession of the emperor's throne. Further, he had gained a reputation for the utmost ferocity because of his responsibility for many cruelties practiced by his prefects in Rome and elsewhere in the empire, so that the whole world was moved by contempt at his ignoble nature and by hatred caused by fear of his cruelty. First Africa rebelled, then the Senate with all the people of Rome, and all Italy plotted against him—including even his army, which, besieging Aquileia and having difficulty taking it, were disgusted with his cruelties, and fearing him less when they found so many against him, murdered him.

I do not wish to discuss Heliogabalus, Macrinus, or Julian, who, being thoroughly contemptible, were quickly destroyed; but I will conclude this discourse by saying that princes in our times have less difficulty giving extraordinary satisfaction to their soldiers. Although these princes have to give soldiers some indulgence, that is easily done. The reason is that none of these princes have armies that have evolved along with the government and administration of the provinces, as was the case with the armies of the Roman Empire. It was then necessary to give more satisfaction to the soldiers than to the people, but it is now necessary that all princes, except the Turk and the Sultan,[1] satisfy the people more than the soldiers, because the people are more powerful.

From the above I have excepted the Turk. He always keeps around him twelve thousand infantry and fifteen thousand cavalry. The security and strength of the kingdom depend on these forces, and it is necessary that he should keep them loyal, putting aside consideration for the people. The kingdom of the Sultan is similar; it is entirely in the hands of soldiers,[2] and he must also keep them as his friends, without regard to the people. But you must note that the state of the Sultan is unlike all other principalities, in that it is like the Christian pontificate, which cannot be called either a hereditary or a newly formed principality; in both, the sons of the old prince do not rule by inheritance. The new ruler is elected to that position by those who have that authority. And since this is an ancient custom, it cannot be called a new principality, because there are none of those difficulties in it that are met with in new ones. Although the prince is new, the constitution of the state is old, and it is designed so as to receive him as if he were its hereditary lord.

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[1] *the Turk and the Sultan* The ruler of Turkey (that is, of the Ottoman Empire) from 1512 to 1520 was Selim I. "The Sultan" refers to the ruler of Egypt.

[2] *in the hands of soldiers* From 1250 to 1517, Egypt was controlled by the Mamelukes, a powerful military caste.

But returning to our topic, I say that everyone who considers it will agree that both hatred and contempt have been fatal to the above-named emperors, and will also recognize how it came to pass that in each of these groups, only some came to a happy end, although some acted in one way, while others acted in a different manner. It would have been useless and dangerous for Pertinax and Alexander, being new princes, to imitate Marcus, who was heir to the principality; likewise, it would have been utterly destructive to Caracalla, Commodus, and Maximinus to have imitated Severus, since they did not have sufficient ability to follow in his footsteps. Therefore a prince, new to the principality, cannot imitate the actions of Marcus; nor, again, should he follow those of Severus. But he ought to take from Severus those methods which are necessary to found his state, and from Marcus those which are proper and glorious to keep a state that may already be stable and firm.

Chapter 20: Are fortresses, and many other things to which princes often resort, advantageous or hurtful?

Some princes have disarmed their subjects in order to hold the state securely; some have kept the towns under their rule divided; some have encouraged hostility against themselves; some have tried to gain the support of those whom they distrusted in the beginning of their governments; some have built fortresses; and some have overthrown and destroyed them. Although one cannot give a final judgment on these things unless one possesses the particulars of those circumstances in which such a decision has to be made, nevertheless I will speak as comprehensively as possible.

No new prince has ever disarmed his subjects. Rather, when he has found them unarmed he has always armed them; when you arm your subjects, those arms become yours. Those men who were distrusted become faithful, and those who were faithful are kept so, and your subjects become your staunch supporters. You cannot arm all your subjects, but when those whom you do arm have benefited, the others can be handled more freely. This difference in their treatment, which they quite understand, makes the former your dependents, while the latter excuse you, recognizing that those more willing to put themselves in danger and those who perform greater service must necessarily receive the greatest reward. But when you disarm them, you at once offend them by showing that you distrust them, expecting either cowardice or disloyalty from them; either of these breeds hatred against you. Then, because you cannot remain unarmed, it follows that you will need to hire mercenaries, who have the characteristics noted above. Even if they are good, they will not be sufficiently strong to protect you against powerful enemies and distrusted subjects. Therefore, as I have said, a new prince in a new principality should always arm his subjects there; histories are full of examples.

When a prince acquires a new state which he adds as a province to existing principalities, on the other hand, it is necessary to disarm the men of that state, except for those who have supported the prince in acquiring it. Even those supporters, over time and as opportunities arise, should be made weak and effeminate; and matters should be managed in such a way that all the armed men in the state are your own soldiers, who were stationed near you in your old state.

Our forefathers—those who were thought wise—used to say that it was necessary to hold Pistoia by factions and Pisa by fortresses. With this principle in mind, they fostered quarrels in some of their subject towns so as to keep possession of them more easily. This may have worked well enough in those times when there was a balance of power in Italy, but I do not believe that it can be accepted as a precept for today, because I do not believe that competing factions can ever be of use. Rather, it is certain that when the enemy comes upon you in a divided city you will quickly be defeated, because the weaker party will always assist the outside forces and the other will not be able to resist.

The Venetians—motivated, I think, by the above reasons—fostered the growth of the Guelph and Ghibelline factions in their subject cities. They never allowed the factions to shed each other's blood, but they encouraged disputes amongst them, so that the citizens, distracted by their differences, would not unite against them. But this, as we saw, did not turn out as expected; after the rout at Vailà, one party at once took courage and seized the entire state. A prince who uses such methods reveals his own weakness;

such factions will never be permitted in a vigorous principality. These methods for enabling one more easily to manage one's subjects are only useful in times of peace. If war comes, these policies are proved to be mistaken.

Without doubt, princes become great when they overcome the difficulties and obstacles confronting them. Therefore Fortune, when she desires to enlarge the reputation of a new prince (who has a greater need to earn renown than does a hereditary prince) causes enemies to arise and take action against him; that gives the new prince the opportunity of overcoming them, and mounting higher, as by a ladder which his enemies have raised. For this reason many consider that a wise prince, when he has the opportunity, ought cleverly to foster some animosity against himself, so that, having crushed it, his renown may rise higher.

Princes, especially new ones, have received more loyalty and assistance from men who at the beginning of their rule were distrusted than from those who at the beginning were trusted. Pandolfo Petrucci, Prince of Siena, ruled his state by relying more on those who had been distrusted than on others. But on this question one cannot speak generally, for it varies so much with individual cases. I will only say this: men who at the beginning of a princedom's rule have been hostile, can always be won over with the greatest ease at the moment when they need assistance or support. They will then stay strongly loyal to the prince, because they know it is necessary to counteract through their actions the bad impression which the prince had formed of them initially. So the prince always extracts more profit from those who were at first hostile to him than he does those who, serving him with too much security, may neglect his affairs.

And since the subject demands it, I must not fail to warn a prince who has acquired a new state by means of support given to him secretly by some in the new state, that he must consider well the reasons which motivated those who favor him. If the motive is not a natural affection towards him, but only discontent with the previous government, then he will only keep them friendly with great trouble and difficulty; it will be impossible to satisfy them. Examples from ancient and modern times show the reasons for this: it is easier for the prince to make friends out of those men who were contented under the former government, and are therefore his enemies, than out of those who, being discontented with it, were favorable to him and encouraged him to seize it.

In order to hold their states more securely, princes have customarily built fortresses to serve as a bridle and bit to plotters against them, and as a place of refuge from a first attack. I praise this system because it has been used for a long time. Nevertheless, in our time we have seen Nicolo Vitelli demolish two fortresses in Citta di Castello in order to keep possession of that state; Guidubaldo, Duke of Urbino, when returning to his rule from which he had been driven by Cesare Borgia, tore down all the fortresses in that province to their foundations, thinking that this would make his rule more secure; the Bentivoglio returning to Bologna came to a similar decision. Fortresses, therefore, may be useful or not, according to circumstances; though they may do you good in one way, they may injure you in another. We may thus sum it up in this way: a prince who has more to fear from his own people than from foreigners ought to build fortresses, but he who has more to fear from foreigners than from his own people ought not to build them. The castle of Milan, built by Francesco Sforza, has made more trouble for the house of Sforza, than has anything else in that state, and will continue to do so. For this reason the best possible fortress is this: not to be hated by the people. If the people hate you, even though you hold a fortress it will not save you, for there will always be foreigners to assist those of your people who have taken arms against you. In our time we have not seen such fortresses to have been of use to any prince, with the exception of the Countess of Forli.[1] When the Count Girolamo, her consort, was killed, a fortress protected her from the attack of the people, and allowed her to wait for assistance from Milan, and thus recover her state. Given the way things stood at that time, foreigners could not assist the people who had attacked her. But fortresses were of little value to her afterwards when Cesare Borgia attacked her, and when the people, who were opposed to her, had foreigners as allies. Therefore it would have been safer for her, both then and before, not to have been hated by the people than to have had the fortresses. All these things considered, then, I praise the prince who builds fortresses as well as the one who does not, and I blame the prince who, trusting in them, does not care about being hated by the people.

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[1] *Countess of Forli* Catherine Sforza (1463–1509) held power in Forli after her husband was assassinated in 1488, until the city was taken by Cesare Borgia in 1500.

Chapter 21: How a prince should act in order to gain esteem

Nothing makes a prince more esteemed than great undertakings which demonstrate how extraordinary he is. We have in our time Ferdinand of Aragon, the present King of Spain. He can almost be called a new prince, because he has risen, by fame and glory, from being an insignificant king to be the foremost king in Christendom. If you will consider his deeds you will find them all great and some of them extraordinary. In the beginning of his reign he attacked Granada, and this enterprise was the foundation of his dominions. He did this quietly at first and without any fear of opposition, for he kept the barons of Castile occupied with the war so that they did not consider rebellion. They did not perceive that by these means he was acquiring power and authority over them. He was able to sustain his armies with the help of money from the Church and from the people, in that long war he laid the foundation for the military organization which has since distinguished him. Further, he always used religion for the furtherance of his greater schemes; he devoted himself with a pious cruelty to driving the Moors from his kingdom.[1] There could be no more remarkable example of the way he behaved than this. Under the same cloak of religion, he attacked Africa. He then invaded Italy and finally attacked France. His achievements and designs have always been great, and have kept the minds of his people in suspense and wonder, preoccupied with question of how they will turn out. And his actions have followed each other so closely that men have never had time to work steadily against him.

It helps that a prince display outstanding examples of ability in internal affairs, such as those told of Bernabo da Milano.[2] When he had the opportunity, he would find some way to reward or punish anyone in civil life who did some extraordinary good or bad thing; this would be widely discussed. And a prince ought, above all else, to try by every action to gain the reputation of being a great and remarkable man.

A prince is also respected when he is either a true friend or a true enemy—that is, when, he declares himself, without any reservation, to be in favor of one party or against another. This course will always be more advantageous than staying neutral. The reason for this is that when two of your powerful neighbors come to blows, you either have to fear the conqueror or not. In either case it will always be more advantageous for you to declare your allegiance and to make war openly.

In the first case, in which you fear the conqueror, if you have not declared yourself, you will invariably fall a prey to the conqueror, to the pleasure and satisfaction of the conquered party. You will have no excuses or protection or shelter. A conqueror does not want doubtful friends who would not aid him in the time of trial; and a loser will not shelter you; you did not willingly, sword in hand, share his fate.

Antiochus[3] went into Greece, being sent for by the Aetolians to drive out the Romans. He sent envoys to the Achaeans, who were friends of the Romans, exhorting them to remain neutral; on the other side, the Romans urged them to take up arms. This question was discussed in the council of the Achaeans, where the legate of Antiochus urged them to remain neutral. To this the Roman legate answered: "As for what has been said, that it is better and more advantageous for your state not to interfere in our war, nothing can be more erroneous; by not interfering you will be left, without favor or consideration, to be the prize of the conqueror."[4] It will always happen that he who is not your friend will demand your neutrality, while he who is your friend will entreat you to declare yourself with arms. Irresolute princes, to avoid present dangers, generally follow the neutral path, and most of the time come to ruin. But when a prince declares himself gallantly in favor of one side, if the party with whom he allies himself conquers, he is indebted to him, even though the victor may be powerful and may have him at his mercy. A bond of friendship has been established, and men are never so shameless as to show such ingratitude by oppressing an ally. Victories after all are never so complete that the victor must not show some regard, especially to justice. But if he with whom you ally yourself loses, you may be sheltered by him, and while he is able he may aid you, and you become companions in a fortune that may rise again.

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[1] *driving ... his kingdom* Commentators think Machiavelli was referring to the choice given to Muslims in Granada of baptism or exile from the city.

[2] *Bernabo da Milano* Bernabó Visconti, ruler of the territories of Milan from 1354 to 1385.

[3] *Antiochus* King of Syria (223–187 BCE), frequently involved in battles with Rome.

[4] *As for what ... the conqueror* This account is based on that in Livy, *History of Rome*, 35, 49.

In the second case, when you need not fear either of the fighting parties winning, it is even more prudent to be allied, because you assist in the destruction of one prince by another. If he had been wise, he would not have gone to war at all. Since it would have been impossible for him to conquer without your assistance, he will be in your debt.

Here it is to be noted that a prince ought to take care never to make an alliance with one more powerful than himself for the purpose of attacking others, unless necessity compels him to do so. As has been said above, if he conquers, you are under his power, and princes ought to avoid this whenever possible. The Venetians joined with France against the Duke of Milan, and this alliance, which caused their ruin, could have been avoided. But when it cannot be avoided, as happened to the Florentines when the Pope and Spain sent armies to attack Lombardy, then in such a case, for the above reasons, the prince ought to favor one of the parties.

No state should ever believe that it can always choose safe courses of action; rather it should expect that many actions will be risky. It is an everyday fact that in seeking to avoid one danger, one often runs into another. Prudence consists in knowing how to judge the nature of difficulties and risks, and to choose the least damaging path.

A prince ought also to show himself a patron of virtue, and to honor the proficient in every art. At the same time he should encourage his citizens to practice their callings peacefully, in commerce and agriculture, and in every other field, so that no one would be deterred from increasing his wealth for fear that it would be taken away, or from setting up a trade for fear of taxes. The prince ought to reward those who seek honor or enrich their city or state in any way.

Further, he ought to entertain the people with festivals and shows at appropriate times of the year. And, since every city is divided into guilds or groups, he ought to hold such bodies in esteem, and meet with them sometimes, and offer himself as an example of courtesy and generosity—maintaining, nevertheless, the majesty of his rank, which he must never, above all, permit to be doubted.

Chapter 22: Concerning princes' advisors

The choice of ministers is of no little importance to a prince, and they are good or bad depending on his prudence. The first impression one forms of a prince, and of his understanding, comes from observing the men he has around him. When they are capable and faithful he may always be considered wise; he has shown that he knows how to recognize the capable and to keep them faithful. But when they are otherwise one cannot form a good opinion of him; for the first error he has made is their selection.

Everyone who knew Antonio da Venafro when he was minister of Pandolfo Petrucci, Prince of Siena, would consider Pandolfo to be a very clever man for having chosen Venafro for his minister. For there are three classes of intellects: one which comprehends by itself; another which appreciates what others comprehend; and a third which comprehends neither by itself nor through the intelligence of others. The first is the most excellent, the second is good, the third is useless. Therefore, it follows necessarily that, if Pandolfo was not in the first rank, he was at least in the second. For a prince may have the judgment to recognize good or bad in other men, even though he himself may not have any original ideas. If he can recognize the good and the bad in his minister, and praise the good and correct the bad. Thus his servant cannot hope to deceive him, and continues to act well.

There is one test which never fails when a prince wishes to form an opinion of his minister. When you see the minister thinking more of his own interests than of yours, and seeking his own happiness and profit, you may know such a man will never make a good minister, and you will never be able to trust him. He who is responsible for a prince's state ought never to think of himself, but always of his prince. He should never pay any attention to matters in which the prince is not concerned.

On the other hand, to keep his minister honest, the prince ought to pay attention to him, honor him, enrich him, share with him honors as well as duties, and thereby place him in his debt. At the same time, let him see that he cannot stand alone, so that many honors not make him desire more, many riches do not make him wish for more, and many duties do not make him fearful of changes. When princes and ministers have this sort of relationship, they can trust each other. But when it is otherwise, the end will always be disastrous for either one or the other.

Chapter 23: How to avoid flatterers

I do not wish to leave out an important issue concerning a danger from which it is difficult to save princes, unless they are very careful and discriminating. The danger comes from flatterers, and courts are full of them. Men are so self-satisfied, and so easily deceived about their own affairs that it is difficult to save them from this plague. If they wish to defend themselves they run the risk of becoming despised, because there is no other way of protecting oneself from flatterers except by letting men understand that you will not be offended if they tell the truth. But when everyone tells you the truth, you lose respect.

Therefore a wise prince ought to take a third course by choosing the wise men in his state, and giving the liberty of speaking the truth to him only to them. Even then, they should be allowed to speak frankly only on those subjects about which he inquires, and about no others. But he ought to question them about everything, and listen to their opinions, and afterwards come to his own conclusions. With these councils and with each of these advisors individually, he ought to conduct himself in such a way that each of them should know that, the more freely he speaks, the more preference he earns. Other than these advisors, the prince should listen to no one; rather, he should pursue what he resolves on doing, and be steadfast in his resolutions. He who does otherwise is either overthrown by flatterers, or so often changes his mind that others lose respect for him.

I wish on this subject to cite a modern example. The present emperor Maximilian's[1] agent, Father Luca, speaking of his majesty, said that the emperor consulted no one, yet never got his own way in anything. This arose because of his following a practice opposite to the above. The emperor is a secretive man—he does not communicate his plans to anyone or receive opinions on them. But as his plans become revealed when he begins to act on them, the men around him at once mount opposition to them, and he, being pliant, is diverted from them. Hence it follows that those things he does one day he undoes the next, and no one ever understands what he wishes or intends to do, and no one can rely on his resolutions.

A prince, therefore, ought always to take counsel, but only when he wishes and not when others wish. He ought rather to discourage everyone from offering him advice unless asked. However, he ought to be a constant inquirer, and afterwards a patient listener concerning the things he has inquired about. Also, if he learns that anyone, for any reason, has not told him the truth, he should let his anger be felt.

Anyone is mistaken who thinks that a prince who impresses people as wise does so through the good advisers that he has around him, rather than through his own ability. This is an axiom which never fails: a prince who is not wise himself will never take good advice, unless by chance he has yielded his affairs entirely to someone else to act on his behalf as a governor—one person who happens to be a very prudent man. In this case the prince may doubtless govern well, but not for long; such a governor would soon take the prince's state away from him.

But if a prince who is not experienced should take counsel from more than one advisor, he will never get the same advice, and will not know how to reconcile the conflicting advice. Each of the counselors will think of his own interests, and the prince will not know how to control his counselors or to see through them. One cannot find counselors who are different from this; men will always prove untrue to you unless they are kept honest by constraint. Therefore it must be inferred that good advice, whatever its origin, must arise from the wisdom of the prince; but the wisdom of the prince does not arise from good advice.

Chapter 24: Why the princes of Italy have lost their states

The suggestions I have made, when observed carefully, will enable a new prince to appear well established, and render him immediately more secure and fixed in the state than if he had possessed it for a long time. For the actions of a new prince are more closely observed than those of a hereditary one, and when these actions demonstrate good ability, they gain the prince more adherents, and bind them to him far tighter than ancient blood. The reason for this is that men are attracted more by the present than by the past, and when they find the present good they enjoy it and seek no further; so they will defend a prince to the utmost so long as he does not neglect his duties. Thus it will be a double glory to him to have established a new principality, and adorned and strengthened it with good laws, a good army, good allies, and good actions; and so it will be a double disgrace to him who, born a prince, shall lose his state through lack of wisdom.

If one considers those rulers who have lost their states in Italy in our times, such as the King of Naples, the Duke of Milan, and others, there will be found the following: First, a common defect with regard to armies, the causes of which have been discussed at length. Second, some of them will be observed either to have faced hostility from the people; or if the people were friendly, from the nobles. In the absence of these defects, states that have enough power to keep an army in the field cannot be lost.

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[1] *Maximilian* Maximilian I (1450–1519), Holy Roman Emperor and King of Germany. His involvement in the Italian wars was motivated by his ambition to increase the dominion of the Habsburgs.

Philip of Macedon, not the father of Alexander the Great,[1] but he who Titus Quintius conquered,[2] had not much territory compared to the Romans and Greece who attacked him. Yet being a warlike man who knew how to attract the people and secure the nobles, he defended against his enemies for many years, and if in the end he lost rule over some of his colonies, nevertheless he retained his kingdom.

Those princes who have ruled for many years, but then have been ousted, should not blame bad luck for their loss; it is due instead to their own laziness. In quiet times they never thought there could be a change (it is a common defect in man not to make any provision for storms when the weather is good), and when the bad times came they thought of fleeing and not of defending themselves, and in hope that the people, disgusted with the insolence of the conquerors, would recall them. When other courses of action fail, this one may be good, but it is very bad to have neglected all other means; trusting that someone will later lift you back up should never make you willing to fall. Either you will not be lifted up, or if you are, you will not be secure in your position, because you have relied on this for restoration. Only those means which depend solely on yourself and your own abilities are reliable, certain, and durable.

Chapter 25: Of fortune's power in human affairs, and how to deal with her

I know that many men have had, and still have, the opinion that events in this world are controlled by fortune and by God, that men cannot manage them by prudence, and that no one can in any way affect them. Because of this they urge that one not work to change things, saying that everything should be left to chance. This belief has become more widespread in our times because of the great upheavals in human affairs which have taken place—and still are, every day, beyond all human prediction. When I think of this, I am sometimes inclined to agree to some extent. Nevertheless, so as not to deny our free will, I hold the position that fortune manages only half our actions, and still allows us to direct the other half (or perhaps a little less).

I compare her to one of those raging rivers, which when in flood overflows the plains, sweeping away trees and buildings, removing the earth from one place and depositing it at another, everyone flees before it, all yield to its violence, without being able to withstand it in any way. Although that is the way it is, it does not follow therefore that men, when the weather becomes calm, cannot not make provisions using embankments and dikes, so that when the waters rise again, they will be channeled off, and their force will not be so unrestrained and dangerous. So it happens with fortune, who shows her power where no measures have been prepared to resist her. She turns her forces to where she knows that embankments and dikes have not been built to restrain her.

If you will consider Italy, which is the seat of these changes, and which has provided their impetus, you will see that it is a country without embankments and dikes—without any defense. If it had been defended by proper measures, as are Germany, Spain, and France, either this invasion would not have caused the great changes it has made, or it would not have come at all. And with this I consider I have said enough about resistance to fortune in general.

But confining myself more to the particular, I say that a prince may live happily today but be ruined tomorrow, without having changed in his disposition or character. This, I believe, arises primarily from causes that have already been discussed at length—namely, that the prince who relies entirely upon fortune is lost when it changes. I believe also that he who directs his actions according to the spirit of the times will be successful, and that he whose actions do not accord with the times will not be successful. We can observe that men attempting to achieve what is everyone's aim—glory and riches—get there by various methods. One achieves that aim with caution, another with haste; one by force, another by skill; one by patience, another by its opposite; and each one succeeds in reaching the goal by a different method. We can also observe two cautious men, one of whom achieves his aims, while another does not; likewise, we can observe two equally successful men with different temperaments—one cautious, the other impetuous. All this arises simply from whether or not their methods conform to the spirit of the times. This follows from what I have said, that two men working differently can bring about the same effect, and of two working similarly, one may attain his object, while the other does not.

Changes in prosperity also result from this. Given a certain sort of convergence of times and affairs, careful and patient management is called for, and one who acts in this way succeeds. But if times and affairs change, he is ruined if he does not change his course of action. Men are seldom sufficiently prudent to be able to accommodate themselves to such a change, both because they cannot deviate from their naturally-arising inclinations, and also because, if they have always prospered by acting in one way, they cannot be persuaded that it is a good idea to change. So the cautious man, when it is time to turn adventurous, does not know how to do it, and so he is ruined; had he changed his conduct with the times, Fortune would not have changed.

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[1] *the father of Alexander the Great* Philip II of Macedon (382–336 BCE).

[2] *he who Titus Quintius conquered* Philip V of Macedon (238–179 BCE).

Pope Julius II[1] proceeded impetuously in all his affairs, and found the times and circumstances suited so well that line of action that he always met with success. Consider his first enterprise against Bologna, when Giovanni Bentivogli was still alive. The Venetians were unhappy with it, as was the King of Spain, and he was still negotiating with the King of France. Nevertheless he personally entered upon the expedition with his accustomed ferocity and energy, a move which made Spain and the Venetians stand indecisive and passive, the latter from fear, the former from their desire to recover all the kingdom of Naples. On the other hand, Julius drew after him the King of France, because that king, having observed his move and desiring to make the Pope his friend in order to defeat the Venetians, found it impossible to refuse him soldiers without openly offending him. Julius with his impetuous action accomplished what no other pontiff with simple human wisdom could have done; if he had waited in Rome until he could go ahead with everything arranged, as any other pontiff would have done, he would never have succeeded. The King of France would have made a thousand excuses, and the others would have raised a thousand fears.

I will not discuss his other actions alone, as they were all alike, and they all succeeded; his short life did not let him experience the contrary. But if circumstances had arisen which required him to go cautiously, his ruin would have followed, because he would never have deviated from those ways to which nature inclined him.

I conclude that, since fortune changes and men remain obstinate in their ways, men prosper when the two are in agreement and languish when they are not. For my part I consider that it is better to be adventurous than cautious, because fortune is a woman, and if you wish to keep her under control it is necessary to beat and mistreat her. It has been observed that she allows herself to be mastered by the adventurous rather than by those who go to work more coldly. She is, therefore, always, like a woman, a lover of young men, because they are less cautious, more violent, and command her more boldly.

Chapter 26: An exhortation to liberate Italy from the barbarians

I have carefully considered the subject of the above discourses, and have been wondering whether the present times are propitious to a new prince, and whether the elements are in place that would give a wise and virtuous one the opportunity to introduce a new order of things which would honor him and benefit the people of this country. It appears to me that so many things concur to favor a new prince that I never knew a time more fit than the present.

If, as I said, it was necessary that the people of Israel should have been captive so as to demonstrate the ability of Moses; that the Persians needed to be oppressed by the Medes so as to discover the greatness of the soul of Cyrus; and that the Athenians should have been dispersed to illustrate the capabilities of Theseus: then at the present time, in order to reveal the ability of an Italian spirit, it was necessary that Italy should be reduced to her present condition, that she should be more enslaved than the Hebrews, more oppressed than the Persians, more scattered than the Athenians; without head, without order, beaten, despoiled, torn, overrun, and suffering every kind of ruin.

Although lately some glimmer of light may have been shown by one man, which made us think he was ordained by God for our redemption,[2] nevertheless it came to pass, in the height of his career, that fortune rejected him; so that Italy, left for dead, waits for the man who shall heal her wounds and put an end to the ravaging and plundering of Lombardy, to the swindling and taxing of the kingdom and of Tuscany, who shall cleanse those sores that have festered for so long. She entreats God to send someone who shall deliver her from barbaric cruelties and insolence. It appears that she is ready and willing to follow a banner if only someone will raise it.

Nor is there anyone in sight in whom she can place more hope than in your illustrious family, with its valor and fortune, favored by God and by the Church of which it is now the chief, and which could lead this redemption. This will not be difficult if you recall the actions and lives of the men I have named.[1] Although they were great and wonderful men, yet they were men, and each one of them had no more opportunity than the present offers, for their enterprises were neither more just nor easier than this, nor was God more their friend than He is yours.

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[1] *Julius II* Pope (1443–1513) from 1503 until 1513. Known as the "Warrior Pope," he effectively increased the power and holdings of the Church.

[2] *one man … redemption* Probably Cesare Borgia.

Here there is great justice, because "that war is just which is necessary, and arms are sacred when there is no other hope but in them."[2] Here there is the greatest willingness, and where the willingness is great the difficulties cannot be great if you will only follow those men to whom I have directed your attention. Further than this, we see marvelous manifestations that God is directing you: the sea is divided, a cloud has led the way, the rock has poured forth water, it has rained manna,[3] everything has contributed to your greatness; you must do the rest. God does not want to do everything—that would take away our free will and our share of the glory.

It is not surprising that none of the above-named Italians[4] have been able to accomplish all that is expected from your illustrious family; nor that in so many revolutions in Italy, and in so many campaigns, military vigor has seemed to have been exhausted. This has happened because the old order of things was not good, and none of us has known how to find a new one. And nothing honors a man newly risen to power more than his establishment of new laws and institutions. When they are well founded and dignified, these new arrangements will make him revered and admired. In Italy there is no lack of opportunity to bring about these innovations in every form.

Here in Italy there is great power in the limbs—but not in the heads. Observe duels and hand-to-hand combat: see how superior the Italians are in strength, dexterity, and subtlety. But when it comes to armies they do not compare well. This arises entirely from the insufficiency of the leaders. Those with ability and knowledge are not obeyed, and each one thinks that he is knowledgeable, since there never has been anyone so outstanding in ability or luck that others would yield to him. Hence it is that for so long a time, and during so much of the fighting in the past twenty years, whenever there has been a wholly Italian army, it has always given a poor account of itself. As proof of this, witness Taro, Alessandria, Capua, Genoa, Vaila, Bologna, Mestre.[5]

If, therefore, your illustrious family wishes to follow those remarkable men who have redeemed their country, it is necessary above all, as a true basis for every enterprise, to be provided with your own armed forces, because there can be no more faithful, true, or better soldiers. And although they are good individually, they will be much better when they find themselves commanded by their prince, honored by him, and maintained at his expense. Therefore it is necessary to be prepared with such forces, so that you can defend against foreigners with Italian valor.

Although Swiss and Spanish infantry may be considered very formidable, nevertheless both are defective, and as a result a third power could not only oppose them, but might even overthrow them. For the Spaniards cannot resist cavalry, and the Swiss are afraid of infantry whenever they offer resistance. Because of this, as we have seen and many continue to see, the Spaniards are unable to resist French cavalry, and the Swiss infantry can be decoyed by the Spanish infantry. Although a complete proof cannot be given of the Swiss weakness, there was some evidence of it at the battle of Ravenna,[6] when the Spanish infantry were confronted by German battalions, who follow the same tactics as the Swiss. There the Spaniards, by agility of body and with the aid of their shields, got in under the pikes[7] of the Germans and thus were out of danger and able to attack, while the Germans were helpless. If the cavalry had not raced up, the Spaniards would have slaughtered them all. It is possible, therefore, knowing the defects of both these infantries, to invent a new type, one that will resist cavalry and not be afraid of infantry. This need not be a new form of army; it may be simply a variation on the old. But these are the kind of improvements which confer reputation and power upon a new prince.

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[1] *the men I have named* Moses, Cyrus, Theseus.

[2] *that war … in them* This quotation is from Livy, *History of Rome*, 9. 1.

[3] *the sea … rained manna* These events are recounted in Exodus 14.17.

[4] *the above-named Italians* It is not perfectly clear to whom Machiavelli refers; it may be Sforza and Borgia (Chapter 7) and perhaps in addition Pope Julius II (Chapter 11).

[5] *Taro … Mestre* The French were victorious in Taro (the Battle of Fornovo) in 1495; they sacked Alessandria in 1499 and Capua in 1501; they took Genoa in 1507, defeated the Venetians in Vailà (the battle of Agnadello) in 1509, and took Bologna in 1511. In 1513, Mestre, near Venice, was burned by an opposing alliance.

[6] *the battle of Ravenna* A French victory in 1512.

[7] *got in under the pikes* The German and Swiss soldiers held seventeen-foot-long horizontally-held pikes; one approached them only by ducking underneath these pikes.

The opportunity must not be allowed to pass for Italy to at last behold her liberator. One cannot express the love with which he would be received, in all those provinces which have suffered so much from foreign invasions. Nor can one readily express the thirst for revenge, the stubborn faith, the devotion, and the tears. What door would be closed to him? Who would refuse obedience to him? What envy would hinder him? What Italian would refuse him homage? The current barbarous domination stinks in everyone's nostrils. Let your illustrious family therefore take on this task with the courage and hope with which all just enterprises are undertaken, so that under its banner our native country may be ennobled, and under its auspices may be verified that saying of Petrarch: "Virtu contro al Furore Prendera l'arme, e fia il combatter corto: Che l'antico valore Negli italici cuor non e ancor morto."[1]

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Discourses on the First Ten Books of Titus Livius (1512–17)

Niccolò Machiavelli to Zanobi Buondelmonte and Cosima Rucellai

Greeting

With this I send you a gift which, if it bears no proportion to the extent of the obligations which I owe you, is nevertheless the best that I am able to offer to you; for I have endeavored to embody in it all that long experience and assiduous research have taught me of the affairs of the world. And as neither yourselves nor anyone else can ask more than that of me, you cannot complain that I have not given you more; though you may well complain of my lack of talent when my arguments are poor, and of the fallacies of my judgment on account of the errors into which I have doubtless fallen many times. This being so, however, I know not which of us has the greater right to complain—I, that you should have forced me to write what I should never have attempted of my own accord, or you, that I should have written without giving you cause to be satisfied.

Accept it, then, as one accepts whatever comes from friends, looking rather to the intention of him who gives, than to the thing offered. And believe me, that I feel a satisfaction in this, that, even if I have often erred in the course of this work, I have assuredly made no mistake in having chosen you above all other friends to whom to dedicate these discourses. In doing this, I give some proof of gratitude, although I may seem to have departed from the ordinary usage of writers, who generally dedicate their works to some prince; and, blinded by ambition or avarice, praise him for all the virtuous qualities he has not, instead of censuring him for his real vices, whilst I, to avoid this fault, do not address myself to such as are princes, but to those who by their infinite good qualities are worthy to be such; not to those who could load me with honors, rank, and wealth, but rather to those who have the desire to do so, but have not the power. For to judge rightly, men should esteem rather those who are, and not those who can be generous; and those who would know how to govern states, rather than those who have the right to govern, but lack the knowledge.

For this reason have historians praised Hiero of Syracuse,[2] a mere private citizen, more than Perseus of Macedon,[3] monarch though he was; for Hiero only lacked a principality to be a prince, whilst the other had nothing of the king except the diadem. Be it good or bad, however, you wanted this work, and such as it is I send it to you; and should you continue in the belief that my opinions are acceptable to you, I shall not fail to continue to examine this history, as I promised you in the beginning of it. Farewell!

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[1] *Virtu contro ... ancor morto* "Virtue against fury shall advance the fight, And in the combat soon shall it put to flight; For the old Roman, valor is not dead, Nor in the Italians' breasts extinguished" (Petrarch, "Italia mia," in Petrarch's letters: *Rerum Vulgarium Fragmenta,* 128 (1344?) 2, 93–96).

[2] *Hiero of Syracuse* Hiero II (307–216 BCE) was so successful as an army commander that he was elected king of Syracuse. The remark about lacking only a principality to be a prince is an inaccurate quotation from the Roman historian Justin. Machiavelli also mentions Hiero, and gives this quotation, in *The Prince.*

[3] *Perseus of Macedon* (c. 212–166 BCE) Last king of Macedon, whose antagonistic actions toward Rome led to war in 171 BCE. After his defeat, he was imprisoned in Rome, and Macedon became a Roman possession.

from *First Book*

Introduction

Although the envious nature of men, so prompt to blame and so slow to praise, makes the discovery and introduction of any new principles and systems as dangerous almost as the exploration of unknown seas and continents, yet, animated by that desire which impels me to do what may prove for the common benefit of all, I have resolved to open a new route, which has not yet been followed by anyone, and may prove difficult and troublesome, but may also bring me some reward in the approbation of those who will kindly appreciate my efforts.

And if my poor talents, my little experience of the present and insufficient study of the past, should make the result of my labors defective and of little utility, I shall at least have shown the way to others, who will carry out my views with greater ability, eloquence, and judgment, so that if I do not merit praise, I ought at least not to incur censure.

When we consider the general respect for antiquity, and how often—to say nothing of other examples—a great price *is* paid for some fragments of an antique statue, which we are anxious to possess to ornament our houses with, or to give to artists who strive to imitate them in their own works; and when we see, on the other hand, the wonderful examples which the history of ancient kingdoms and republics presents to us, the prodigies of virtue and of wisdom displayed by the kings, captains, citizens, and legislators who have sacrificed themselves for their country—when we see these, I say, more admired than imitated, or so much neglected that not the least trace of this ancient virtue remains, we cannot but be at the same time as much surprised as afflicted. The more so as in the differences which arise between citizens, or in the maladies to which they are subjected, we see these same people have recourse to the judgments and the remedies prescribed by the ancients. The civil laws are in fact nothing but decisions given by their jurisconsults,[1] and which, reduced to a system, direct our modern jurists in their decisions. And what is the science of medicine, but the experience of ancient physicians, which their successors have taken for their guide? And yet to found a republic, maintain states, to govern a kingdom, organize an army, conduct a war, dispense justice, and extend empires, you will find neither prince, nor republic, nor captain, nor citizen, who has recourse to the examples of antiquity! This neglect, I am persuaded, is due less to the weakness to which the vices of our education have reduced the world, than to the evils caused by the proud indolence which prevails in most of the Christian states, and to the lack of real knowledge of history, the true sense of which is not known, or the spirit of which they do not comprehend. Thus the majority of those who read it take pleasure only in the variety of the events which history relates, without ever thinking of imitating the noble actions, deeming that not only difficult, but impossible; as though heaven, the sun, the elements, and men had changed the order of their motions and power, and were different from what they were in ancient times.

Wishing, therefore, so far as in me lies, to draw mankind from this error, I have thought it proper to write upon those books of Titus Livius[2] that here come to us entire despite the malice of time; touching upon all those matters which, after a comparison between the ancient and modern events, may seem to me necessary to facilitate their proper understanding. In this way those who read my remarks may derive those advantages which should be the aim of all study of history; and although the undertaking is difficult, yet, aided by those who have encouraged me in this attempt, I hope to carry it sufficiently far, so that but little may remain for others to carry it to its destined end.

Chapter 1: Of the Beginning of Cities in General, and Especially that of the City of Rome

Those who read what the beginning of Rome was, and what her lawgivers and her organization, will not be astonished that so much virtue should have maintained itself during so many centuries; and that so great an empire should have sprung from it afterwards. To speak first of her origin, we will premise that all cities are founded either by natives of the country or by strangers.[3] The little security which the natives found in living dispersed; the impossibility for each to resist isolated, either because of the situation or because of their small number, the attacks of any enemy that might present himself; the difficulty of uniting in time for defense at his approach, and the necessity of abandoning the greater number of their retreats, which quickly became a prize to the assailant—such were the motives that caused the first inhabitants of a country to build cities for the purpose of escaping these dangers. They resolved, of their own accord, or by the advice of some one who had most authority amongst them, to live together in some place of their selection that might offer them greater conveniences and greater facility of defense. Thus, amongst many others were Athens and Venice; the first was built under the authority of Theseus,[1] who had gathered the dispersed inhabitants; and the second owed its origin to the fact that several tribes had taken refuge on the little islands situated at the head of the Adriatic Sea, to escape from war, and from the Barbarians who after the fall of the Roman Empire had overrun Italy. These refugees of themselves, and without any prince to govern them, began to live under such laws as seemed to them best suited to maintain their new state. In this they succeeded, happily favored by the long peace, for which they were indebted to their situation upon a sea without issue, where the people that ravaged Italy could not harass them, being without any ships. Thus from that small beginning they attained that degree of power in which we see them now.

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[1] *jurisconsults* Persons learned in law.

[2] *Titus Livius* (59 BCE?–17 CE?), Roman historian best known for his history of Rome, *Ab Urbe Condita* (often translated as *History of Rome from Its Foundation*). He is commonly called Livy in English.

[3] *strangers* That is, foreigners.

The second case is when a city is built by strangers; these may be either freemen,[2] or subjects of a republic or of a prince, who, to relieve their states from an excessive population, or to defend a newly acquired territory which they wish to preserve without expense, send colonies there. The Romans founded many cities in this way within their empire. Sometimes cities are built by a prince, not for the purpose of living there, but merely as monuments to his glory; such was Alexandria, built by Alexander the Great.[3] But as all these cities are at their very origin deprived of liberty, they rarely succeed in making great progress, or in being counted amongst the great powers. Such was the origin of Florence; for it was built either by the soldiers of Sylla,[4] or perhaps by the inhabitants of Mount Fiesole, who, trusting to the long peace that prevailed in the reign of Octavian,[5] were attracted to the plains along the Arno. Florence, thus built under the Roman Empire, could in the beginning have no growth except what depended on the will of its master.

The founders of cities are independent when they are people who, under the leadership of some prince, or by themselves, have been obliged to fly from pestilence, war, or famine, that was desolating their native country, and are seeking a new home. These either inhabit the cities of the country of which they take possession, as Moses[6] did; or they build new ones, as was done by Aeneas.[7] In such case we are able to appreciate the talents of the founder and the success of his work, which is more or less remarkable according as he, in founding the city, displays more or less wisdom and skill. Both the one and the other are recognized by the selection of the place where he has located the city, and by the nature of the laws which he establishes in it. And as men work either from necessity or from choice, and as it has been observed that virtue has more sway where labor is the result of necessity rather than of choice, it is a matter of consideration whether it might not be better to select for the establishment of a city a sterile region, where the people, compelled by necessity to be industrious, and therefore less given to idleness, would be more united, and less exposed by the poverty of the country to occasions for discord; as was the case with Ragusa,[8] and several other cities that were built upon an ungrateful soil. Such a selection of site would doubtless be more useful and wise if men were content with what they possess, and did not desire to exercise command over others.

Now, as people cannot make themselves secure except by being powerful, it is necessary in the founding of a city to avoid a sterile country. On the contrary, a city should be placed rather in a region where the fertility of the soil affords the means of becoming great, and of acquiring strength to repel all who might attempt to attack it, or oppose the development of its power. As to the idleness which the fertility of a country tends to encourage, the laws should compel men to labor where the sterility of the soil does not do it; as was done by those skilful and sagacious legislators who have inhabited very agreeable and fertile countries, such as are apt to make men idle and unfit for the exercise of valor. These by way of an offset to the pleasures and softness of the climate, imposed upon their soldiers the rigors of a strict discipline and severe exercises, so that they became better warriors than what nature produces in the harshest climates and most sterile countries. Amongst these legislators we may cite the founders of the kingdom of Egypt: despite the charms of the climate, the severity of the institutions there formed excellent men; and if great antiquity had not buried their names in oblivion, we should see that they deserved more praise than Alexander the Great and many others of more recent memory. And whoever has examined the government of the Pachas[1] of Egypt and the discipline of their Mameluke militia before it was destroyed by the Sultan Selim[2] of Turkey, will have seen how much they dreaded idleness, and by what variety of exercises and by what severe laws they prevented in their soldiers that effeminacy which is the natural fruit of the softness of their climate.

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[1] *Theseus* Legendary first king and founder of Athens.

[2] *freemen* Not slaves or serfs.

[3] *Alexander the Great* (356–323 BCE), king of Macedon. An enormously successful military commander, he conquered most of the Greek world. Having conquered Egypt, he founded Alexandria there in 334 BCE.

[4] *Sylla* (More frequently and accurately, *Sulla*.) Publius Cornelius Sulla (c. 138–78 BCE), distinguished Roman general, who was appointed consul in 88, and who defeated his rival Marius in a civil war.

[5] *Octavian* Gaius Julius Octavius (usually known as Augustus, 63 BCE–14 CE), first emperor of Rome.

[6] *Moses* Machiavelli appears to be talking about the exodus of the Hebrew people from Egypt.

[7] *Aeneas* Virgil's *Aenead* tells the mythological story of Aeneas, hero of the Trojan War, who later led a group of Trojans to settle what would become Rome.

[8] *Ragusa* City in Sicily (with settlements dating back at least to the second millennium BCE).

I say, then, that for the establishment of a city it is wisest to select the most fertile spot, especially as the laws can prevent the ill effects that would otherwise result from that very fertility.

When Alexander the Great wished to build a city that should serve as a monument to his glory, his architect, Dinocrates, pointed out to him how he could build a city on Mount Athos,[3] which place he said, besides being very strong, could be so arranged as to give the city the appearance of the human form, which would make it a wonder worthy of the greatness of its founder. Alexander having asked him what the inhabitants were to live upon, he replied, "That I have not thought of"; at which Alexander smiled, and, leaving Mount Athos as it was, he built Alexandria, where the inhabitants would be glad to remain on account of the richness of the country and the advantages which the proximity of the Nile and the sea afforded them.

If we accept the opinion that Aeneas was the founder of Rome, then we must count that city as one of those built by strangers; but if Romulus[4] is taken as its founder, then must it be classed with those built by the natives of the country. Either way it will be seen that Rome was from the first free and independent; and we shall also see (as we shall show further on) to how many privations the laws of Romulus, of Numa,[5] and of others subjected its inhabitants; so that neither the fertility of the soil, nor the proximity or the sea, nor their many victories, nor the greatness of the Empire, could corrupt them during several centuries, and they maintained there more virtues than have ever been seen in any other republic.

The great things which Rome achieved, and of which Titus Livius has preserved the memory, have been the work either of the government or of private individuals; and as they relate either to the affairs of the interior or of the exterior, I shall begin to discourse of those internal operations of the government which I believe to be most noteworthy, and shall point out their results. This will be the subject of the discourses that will compose this First Book, or rather First Part.

Chapter 2: Of the Different Kinds of Republics, and of What Kind the Roman Republic Was

I will leave aside what might be said of cities which from their very birth have been subject to a foreign power, and will speak only of those whose origin has been independent, and which from the first governed themselves by their own laws, whether as republics or as principalities, and whose constitution and laws have differed as their origin. Some have had at the very beginning, or soon after, a legislator, who, like Lycurgus with the Lacedæmonians,[6] gave them by a single act all the laws they needed. Others have owed theirs to chance and to events, and have received their laws at different times, as Rome did. It is a great good fortune for a republic to have a legislator sufficiently wise to give her laws so regulated that, without the necessity of correcting them, they afford security to those who live under them. Sparta observed her laws for more than eight hundred years without altering them and without experiencing a single dangerous disturbance. Unhappy, on the contrary, is that republic which, not having at the beginning fallen into the hands of a sagacious and skilful legislator, is herself obliged to reform her laws. More unhappy still is that republic which from the first has diverged from a good constitution. And that republic is furthest from it whose vicious institutions impede her progress, and make her leave the right path that leads to a good end; for those who are in that condition can hardly ever be brought into the right road. Those republics, on the other hand, that started without having even a perfect constitution, but made a fair beginning, and are capable of improvement—such republics, I say, may perfect themselves by the aid of events. It is very true, however, that such reforms are never effected without danger, for the majority of men never willingly adopt any new law tending to change the constitution of the state, unless the necessity of the change is clearly demonstrated; and as such a necessity cannot make itself felt without being accompanied with danger, the republic may easily be destroyed before having perfected its constitution. That of Florence is a complete proof of this: reorganized after the revolt of Arezzo, in 1502, it was overthrown after the taking of Prato,[1] in 1512.

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[1] *Pachas* Civil and military authorities (also spelled *pashas*).

[2] *Mameluke militia ... Sultan Selim* The Mamelukes were a military caste that ruled Egypt and other areas during the late medieval period and were defeated by Selim I, Ottoman Sultan of Turkey (c. 1470–1520) in the early 1500s.

[3] *Mount Athos* Mountain and peninsula on the Aegean Sea in Macedonia (north-eastern Greece), accessible only by boat.

[4] *Romulus.* Another legend has it that Rome was founded by the twins Romulus and Remus in 753 BCE. Romulus killed his brother, and became Rome's first ruler, credited with founding many of its institutions.

[5] *Numa* According to legend, Numa Pompilius was the second king of Rome.

[6] *Lycurgus ... Lacedæmonians* Lycurgus was the legendary first leader of Lacedaemon (which we usually refer to by the name of its major city, Sparta). He is credited with having established many of the characteristic features of its laws, government, and culture.

Having proposed to myself to treat of the kind of government established at Rome, and of the events that led to its perfection, I must at the beginning observe that some of the writers on politics distinguished three kinds of government, viz. the monarchical, the aristocratic, and the democratic and maintain that the legislators of a people must choose from these three the one that seems to them most suitable. Other authors,[2] wiser according to the opinion of many, count six kinds of governments, three of which are very bad, and three good in themselves, but so liable to be corrupted that they become absolutely bad. The three good ones are those which we have just named; the three bad ones result from the degradation of the other three, and each of them resembles its corresponding original, so that the transition from the one to the other is very easy. Thus monarchy becomes tyranny; aristocracy degenerates into oligarchy; and the popular government lapses readily into licentiousness. So that a legislator who gives to a state which he founds, either of these three forms of government, constitutes it but for a brief time; for no precautions can prevent either one of the three that are reputed good, from degenerating into its opposite kind; so great are in these the attractions and resemblances between the good and the evil.

Chance has given birth to these different kinds of governments amongst men; for at the beginning of the world the inhabitants were few in number, and lived for a time dispersed, like beasts. As the human race increased, the necessity for uniting themselves for defense made itself felt; the better to attain this object, they chose the strongest and most courageous from amongst themselves and placed him at their head, promising to obey him. Thence they began to know the good and the honest, and to distinguish them from the bad and vicious; for seeing a man injure his benefactor aroused at once two sentiments in every heart, hatred against the ingrate and love for the benefactor. They blamed the first, and on the contrary honored those the more who showed themselves grateful, for each felt that he in turn might be subject to a like wrong; and to prevent similar evils, they set to work to make laws, and to institute punishments for those who contravened them. Such was the origin of justice. This caused them, when they had afterwards to choose a prince, neither to look to the strongest nor bravest, but to the wisest and most just. But when they began to make sovereignty hereditary and non-elective, the children quickly degenerated from their fathers; and, so far from trying to equal their virtues, they considered that a prince had nothing else to do than to excel all the rest in luxury, indulgence, and every other variety of pleasure. The prince consequently soon drew upon himself the general hatred. An object of hatred, he naturally felt fear; fear in turn dictated to him precautions and wrongs, and thus tyranny quickly developed itself. Such were the beginning and causes of disorders, conspiracies, and plots against the sovereigns, set on foot, not by the feeble and timid, but by those citizens who, surpassing the others in grandeur of soul, in wealth, and in courage, could not submit to the outrages and excesses of their princes.

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[1] *Arezzo ... Prato* In 1502 Arezzo revolted against Florence and Cesare Borgia seized Urbino. Florence sent Machiavelli and Francesco Soderini as envoys to Borgia, who demanded and was granted a reorganization of government, with Francesco's brother Piero Soderini elected to the high office of Gonfalonier. In 1512, Prato was sacked by the Spaniards, and the Medicis took over Florence, deposed Soderini, and in effect ended the Republic.

[2] *some of the writers ... Other authors* Machiavelli may have been thinking of Polybius as an author who makes the threefold distinction; Polybius, however, is sometimes taken to have agreed with Aristotle, whom Machiavelli certainly and correctly considers a six-fold theorist.

Under such powerful leaders the masses armed themselves against the tyrant, and, after having rid themselves of him, submitted to these chiefs as their liberators. These, abhorring the very name of prince, constituted themselves a new government; and at first, bearing in mind the past tyranny, they governed in strict accordance with the laws which they had established themselves; preferring public interests to their own, and to administer and protect with greatest care both public and private affairs. The children succeeded their fathers, and ignorant of the changes of fortune, having never experienced its reverses, and indisposed to remain content with this civil equality, they in turn gave themselves up to cupidity, ambition, libertinage, and violence, and soon caused the aristocratic government to degenerate into an oligarchic tyranny, regardless of all civil rights. They soon, however, experienced the same fate as the first tyrant; the people, disgusted with their government placed themselves at the command of whoever was willing to attack them, and this disposition soon produced an avenger, who was sufficiently well seconded to destroy them. The memory of the prince and the wrongs committed by him being still fresh in their minds, and having overthrown the oligarchy, the people were not willing to return to the government of a prince. A popular government was therefore resolved upon, and it was so organized that the authority should not again fall into the hands of a prince or a small number of nobles. And as all governments are at first looked up to with some degree of reverence, the popular state also maintained itself for a time, but which was never of long duration, and lasted generally only about as long as the generation that had established it; for it soon ran into that kind of license which inflicts injury upon public as well as private interests. Each individual only consulted his own passions, and a thousand acts of injustice were daily committed, so that, constrained by necessity, or directed by the counsels of some good man, or for the purpose of escaping from this anarchy, they returned anew to the government of a prince, and from this they generally lapsed again into anarchy, step by step, in the same manner and from the same causes as we have indicated.

Such is the circle which all republics are destined to run through. Seldom, however, do they come back to the original form of government, which results from the fact that their duration is not sufficiently long to be able to undergo these repeated changes and preserve their existence. But it may well happen that a republic lacking strength and good counsel in its difficulties becomes subject after a while to some neighboring state, that is better organized than itself; and if such is not the case, then they will be apt to revolve indefinitely in the circle of revolutions. I say, then, that all kinds of government are defective; those three which we have qualified as good because they are too short-lived, and the three bad ones because of their inherent viciousness. Thus sagacious legislators, knowing the vices of each of these systems of government by themselves, have chosen one that should partake of all of them, judging that to be the most stable and solid. In fact, when there is combined under the same constitution a prince, a nobility, and the power of the people, then these three powers will watch and keep each other reciprocally in check.

Amongst those justly celebrated for having established such a constitution, Lycurgus beyond doubt merits the highest praise. He organized the government of Sparta in such manner that, in giving to the king, the nobles, and the people each their portion of authority and duties, he created a government which maintained itself for over eight hundred years in the most perfect tranquility, and reflected infinite glory upon this legislator. On the other hand, the constitution given by Solon[1] to the Athenians, by which he established only a popular government, was of such short duration that before his death he saw the tyranny of Pisistratus[2] arise. And although forty years afterwards the heirs of the tyrant were expelled, so that Athens recovered her liberties and restored the popular government according to the laws of Solon, yet it did not last over a hundred years; although a number of laws that had been overlooked by Solon were adopted, to maintain the government against the insolence of the nobles and the license of the populace. The fault he had committed in not tempering the power of the people and that of the prince and his nobles, made the duration of the government of Athens very short, as compared with that of Sparta.

But let us come to Rome. Although she had no legislator like Lycurgus, who constituted her government, at her very origin, in a manner to secure her liberty for a length of time, yet the disunion which existed between the Senate and the people produced such extraordinary events, that chance did for her what the laws had failed to do. Thus, if Rome did not attain the first degree of happiness, she at least had the second. Her first institutions were doubtless defective, but they were not in conflict with the principles that might bring her to perfection. For Romulus and all the other kings gave her many and good laws, well suited even to a free people; but as the object of these princes was to found a monarchy, and not a republic, Rome, upon becoming free, found herself lacking all those institutions that are most essential to liberty, and which her kings had not established. And although these kings lost their empire, for the reasons and in the manner which we have explained, yet those who expelled them appointed immediately two consuls in place of the king; and thus it was found that they had banished the title of king from Rome, but not the regal power. The government, composed of Consuls and a Senate, had but two of the three elements of which we have spoken, the monarchical and the aristocratic; the popular power was wanting. In the course of time, however, the insolence of the nobles, produced by the causes which we shall see further on, induced the people to rise against the others. The nobility, to save a portion of their power, were forced to yield a share of it to the people; but the Senate and the Consuls retained sufficient to maintain their rank in the state. It was then that the Tribunes of the people were created, which strengthened and confirmed the republic, being now composed of the three elements of which we have spoken above. Fortune favored her, so that, although the authority passed successively from the kings and nobles to the people, by the same degrees and for the same reasons that we have spoken of, yet the royal authority was never entirely abolished to bestow it upon the nobles; and these were never entirely deprived of their authority to give it to the people; but a combination was formed of the three powers, which rendered the constitution perfect, and this perfection was attained by the disunion of the Senate and the people, as we shall more fully show in the following two chapters.

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[1] *Solon* Athenian political reformer and lawgiver (638–558 BCE).

[2] *Pisistratus* (Preferred spellings: *Peisistratos* or *Peisistratus*; c. 607–528 BCE) was installed as Tyrant in Athens following a popular coup in 561 BCE, and ruled intermittently thereafter.

from *Second Book*

Introduction

Men ever praise the olden time, and find fault with the present, though often without reason. They are such partisans of the past that they extol not only the times which they know only by the accounts left of them by historians, but, having grown old, they also laud all they remember to have seen in their youth. Their opinion is generally erroneous in that respect, and I think the reasons which cause this illusion are various. The first I believe to be the fact that we never know the whole truth about the past, and very frequently writers conceal such events as would reflect disgrace upon their century, whilst they magnify and amplify those that lend luster to it. The majority of authors obey the fortune of conquerors to that degree that, by way of rendering their victories more glorious, they exaggerate not only the valiant deeds of the victor, but also of the vanquished; so that future generations of the countries of both will have cause to wonder at those men and times, and are obliged to praise and admire them to the utmost. Another reason is that men's hatreds generally spring from fear or envy. Now, these two powerful reasons of hatred do not exist for us with regard to the past, which can no longer inspire either apprehension or envy. But it is very different with the affairs of the present, in which we ourselves are either actors or spectators, and of which we have a complete knowledge, nothing being concealed from us; and knowing the good together with many other things that are displeasing to us, we are forced to conclude that the present is inferior to the past, though in reality it may be much more worthy of glory and fame. I do not speak of matters pertaining to the arts, which shine by their intrinsic merits, which time can neither add to nor diminish; but I speak of such things as pertain to the actions and manners of men, of which we do not possess such manifest evidence.

I repeat, then, that this practice of praising and decrying is very general, though it cannot be said that it is always erroneous; for sometimes our judgment is of necessity correct, human affairs being in a state of perpetual movement, always either ascending or declining. We see, for instance, a city or country with a government well organized by some man of superior ability; for a time it progresses and attains a great prosperity through the talents of its lawgiver. Now, if anyone living at such a period should praise the past more than the time in which he lives, he would certainly be deceiving himself; and this error will be found due to the reasons above indicated. But should he live in that city or country at the period after it shall have passed the zenith of its glory and in the time of its decline, then he would not be wrong in praising the past. Reflecting now upon the course of human affairs, I think that, as a whole, the world remains very much in the same condition, and the good in it always balances the evil; but the good and the evil change from one country to another, as we learn from the history of those ancient kingdoms that differed from each other in manners, whilst the world at large remained the same. The only difference being, that all the virtues that first found a place in Assyria[1] were thence transferred to Media,[2] and afterwards passed to Persia,[3] and from there they came into Italy and to Rome. And if after the fall of the Roman Empire none other sprung up that endured for any length of time, and where the aggregate virtues of the world were kept together, we nevertheless see them scattered amongst many nations, as, for instance, in the kingdom of France, the Turkish empire, or that of the Sultan of Egypt, and nowadays the people of Germany, and before them those famous Saracens,[4] who achieved such great things and conquered so great a part of the world, after having destroyed the Roman Empire of the East. The different peoples of these several countries, then, after the fall of the Roman Empire, have possessed and possess still in great part that virtue which is so much lamented and so sincerely praised. And those who live in those countries and praise the past more than the present may deceive themselves; but whoever is born in Italy and Greece, and has not become either an Ultramontane[5] in Italy or a Turk in Greece, has good reason to find fault with his own and to praise the olden times; for in their past there are many things worthy of the highest admiration, whilst the present has nothing that compensates for all the extreme misery, infamy, and degradation of a period where there is neither observance of religion, law, or military discipline, and which is stained by every species of the lowest brutality; and these vices are the more detestable as they exist amongst those who sit in the tribunals as judges, and hold all power in their hands, and claim to be adored.

But to return to our argument, I say that, if men's judgment is at fault upon the point whether the present age be better than the past, of which latter, owing to its antiquity, they cannot have such perfect knowledge as of their own period, the judgment of old men of what they have seen in their youth and in their old age should not be false, inasmuch as they have equally seen both the one and the other. This would be true, if men at the different periods of their lives had the same judgment and the same appetites. But as these vary (though the times do not), things cannot appear the same to men who have other tastes, other delights, and other considerations in age from what they had in youth. For as men when they age lose their strength and energy, whilst their prudence and judgment improve, so the same things that in youth appeared to them supportable and good, will of necessity, when they have grown old, seem to them insupportable and evil; and when they should blame their own judgment they find fault with the times. Moreover, as human desires are insatiable, (because their nature is to have and to do everything whilst fortune limits their possessions and capacity of enjoyment) this gives rise to a constant discontent in the human mind and a weariness of the things they possess; and it is this which makes them decry the present, praise the past, and desire the future, and all this without any reasonable motive. I know not, then, whether I deserve to be classed with those who deceive themselves, if in these Discourses I shall laud too much the times of ancient Rome and censure those of our own day. And truly, if the virtues that ruled then and the vices that prevail now were not as clear as the sun, I should be more reticent in my expressions, lest I should fall into the very error for which I reproach others. But the matter being so manifest that everybody sees it, I shall boldly and openly say what I think of the former times and of the present, so as to excite in the minds of the young men who may read my writings the desire to avoid the evils of the latter, and to prepare themselves to imitate the virtues of the former, whenever fortune presents them the occasion. For it is the duty of an honest man to teach others that good which the malignity of the times and of fortune has prevented his doing himself; so that amongst the many capable ones whom he has instructed, some one perhaps, more favored by Heaven, may perform it.

Having in the preceding Book treated of the conduct of the Romans in matters relating to their internal affairs, I shall in this Book speak of what the Roman people did in relation to the aggrandizement of their empire.

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[1] *Assyria* Ancient empire centered in what is today Iraq; at its height it also included Mesopotamia, Egypt, and parts of Turkey. It lasted, with periods of decline and vassalage, from 2000 BCE until around 600 BCE.

[2] *Media* The Medes were an ancient people of Iran; their empire was at its height during the sixth century BCE.

[3] *Persia* The Persian Empire was in fact a series of empires centered in Iran, extending from very ancient times until the twentieth century; at one stage (the Achaemenid Persian Empire, 559–330 BCE) it extended west to Egypt, Turkey, and parts of coastal Greece and east to Afghanistan and Pakistan.

[4] *Saracens* Western name for the people of the so-called Arab Empire—a succession of caliphates that ruled various significant portions of the Arab world between about 630 and 1170.

[5] *Ultramontane* A supporter of the doctrine of papal supremacy.

Chapter 2: What Nations the Romans Had to Contend against and with What Obstinacy They Defended Their Liberty

Nothing required so much effort on the part of the Romans to subdue the nations around them; as well as those of more distant countries, as the love of liberty which these people cherished in those days; and which they defended with so much obstinacy, that nothing but the exceeding valor of the Romans could ever have subjugated them. For we know from many instances to what danger they exposed themselves to preserve or recover their liberty, and what vengeance they practiced upon those who had deprived them of it. The lessons of history teach us also, on the other hand, the injuries people suffer from servitude. And whilst in our own times there is only one country in which we can say that free communities exist,[1] in those ancient times all countries contained numerous cities that enjoyed entire liberty. In the times of which we are now speaking, there were in Italy from the mountains that divide the present Tuscany from Lombardy, down to the extreme point, a number of independent nations, such as the Tuscans,[2] the Romans, the Samnites,[3] and many others, that inhabited the rest of Italy. Nor is there ever any mention of there having been other kings besides those that reigned in Rome, and Porsenna, king of the Tuscans, whose line became extinct in a manner not mentioned in history. But we do see that, at the time when the Romans went to besiege Veii, Tuscany was free, and so prized her liberty and hated the very name of king, that when the Veienti had created a king in their city for its defense, and applied to the Tuscans for help against the Romans, it was resolved, after repeated deliberations, not to grant such assistance to the Veienti so long as they lived under that king; for the Tuscans deemed it not well to engage in the defense of those who had voluntarily subjected themselves to the rule of one man. And it is easy to understand whence that affection for liberty arose in the people, for they had seen that cities never increased in dominion or wealth unless they were free. And certainly it is wonderful to think of the greatness which Athens attained within the space of a hundred years after having freed herself from the tyranny of Pisistratus; and still more wonderful is it to reflect upon the greatness which Rome achieved after she was rid of her kings. The cause of this is manifest, for it is not individual prosperity, but the general good, that makes cities great; and certainly the general good is regarded nowhere but in republics, because whatever they do is for the common benefit, and should it happen to prove an injury to one or more individuals, those for whose benefit the thing is done are so numerous that they can always carry the measure against the few that are injured by it. But the very reverse happens where there is a prince whose private interests are generally in opposition to those of the city, whilst the measures taken for the benefit of the city are seldom deemed personally advantageous by the prince. This state of things soon leads to a tyranny, the least evil of which is to check the advance of the city in its career of prosperity, so that it grows neither in power nor wealth, but on the contrary rather retrogrades. And if fate should have it that the tyrant is enterprising, and by his courage and valor extends his dominions, it will never be for the benefit of the city, but only for his own; for he will never bestow honors and office upon the good and brave citizens over whom he tyrannizes, so that he may not have occasion to suspect and fear them. Nor will he make the states which he conquers subject or tributary to the city of which he is the despot, because it would not be to his advantage to make that city powerful; but it will always be for his interest to keep the state disunited, so that each place and country shall recognize him only as master; thus he alone, and not his country, profit by his conquests. Those who desire to have this opinion confirmed by many other arguments, need but read Xenophon's treatise *On Tyranny*.[4]

It is no wonder, then, that the ancients hated tyranny and loved freedom, and that the very name of Liberty should have been held in such esteem by them; as was shown by the Syracusans when Hieronymus, the nephew of Hiero, was killed. When his death became known to his army, which was near Syracuse, it caused at first some disturbances, and they were about committing violence upon his murderers; but when they learnt that the cry of Liberty had been raised in Syracuse, they were delighted, and instantly returned to order. Their fury against the tyrannicides was quelled, and they thought only of how a free government might be established in Syracuse. Nor can we wonder that the people indulge in extraordinary revenge against those who have robbed them of their liberty; of which we could cite many instances, but will quote only one that occurred in Corcyra, a city of Greece, during the Peloponnesian war. Greece was at that time divided into two parties, one of which adhered to the Athenians, and the other to the Spartans, and a similar division of parties existed in most of the Greek cities. It happened that in Corcyra the nobles, being the stronger party, seized upon the liberties of the people; but with the assistance of the Athenians the popular party recovered its power, and, having seized the nobles, they tied their hands behind their backs, and threw them into a prison large enough to hold them all. They thence took eight or ten at a time, under pretence of sending them into exile in different directions; but instead of that they killed them with many cruelties. When the remainder became aware of this, they resolved if possible to escape such an ignominious death; and having armed themselves as well as they could, they resisted those who attempted to enter the prison; but when the people heard this disturbance, they pulled down the roof and upper portion of the prison, and suffocated the nobles within under its ruins. Many such notable and horrible cases occurred in that country, which shows that the people will avenge their lost liberty with more energy than when it is merely threatened.

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[1] *one country ... free communities exist* Machiavelli probably refers to Germany, though similar free city-states also existed in Switzerland.

[2] *Tuscans* Inhabitants of Tuscany, a region including Florence in northern Italy on the Mediterranean coast.

[3] *Samnites* Inhabitants of a state centered in Samnium, a region in the Apennine mountains of southern Italy.

[4] *Xenophon's treatise On Tyranny* Xenophon (c. 431–355 BCE), was a soldier, historian, and pupil of Socrates. *Tyrannicus*, the work Machiavelli refers to, is usually called *Hiero*: it is a dialogue between the tyrant of Syracuse of that name and a poet, in which Hiero appears doubtful about the worth of the life of a tyrant.

Reflecting now as to whence it came that in ancient times the people were more devoted to liberty than in the present, I believe that it resulted from this, that men were stronger in those days, which I believe to be attributable to the difference of education, founded upon the difference of their religion and ours. For, as our religion teaches us the truth and the true way of life, it causes us to attach less value to the honors and possessions of this world; whilst the Pagans, esteeming those things as the highest good, were more energetic and ferocious in their actions. We may observe this also in most of their institutions, beginning with the magnificence of their sacrifices as compared with the humility of ours, which are gentle solemnities rather than magnificent ones, and have nothing of energy or ferocity in them, whilst in theirs there was no lack of pomp and show, to which was superadded the ferocious and bloody nature of the sacrifice by the slaughter of many animals, and the familiarity with this terrible sight assimilated the nature of men to their sacrificial ceremonies. Besides this, the Pagan religion deified only men who had achieved great glory, such as commanders of armies and chiefs of republics, whilst ours glorifies more the humble and contemplative men than the men of action. Our religion, moreover, places the supreme happiness in humility, lowliness, and a contempt for worldly objects, whilst the other, on the contrary, places the supreme good in grandeur of soul, strength of body, and all such other qualities as render men formidable; and if our religion claims of us fortitude of soul, it is more to enable us to suffer than to achieve great deeds.

These principles seem to me to have made men feeble, and caused them to become an easy prey to evil-minded men, who can control them more securely, seeing that the great body of men, for the sake of gaining Paradise, are more disposed to endure injuries than to avenge them. And although it would seem that the world has become effeminate and Heaven disarmed, yet this arises unquestionably from the baseness of men, who have interpreted our religion according to the promptings of indolence rather than those of virtue. For if we were to reflect that our religion permits us to exalt and defend our country, we should see that according to it we ought also to love and honor our country, and prepare ourselves so as to be capable of defending her. It is this education, then, and this false interpretation of our religion, that is the cause of there not being so many republics nowadays as there were anciently; and that there is no longer the same love of liberty amongst the people now as there was then. I believe, however, that another reason for this will be found in the fact that the Roman Empire, by force of arms, destroyed all the republics and free cities; and although that empire was afterwards itself dissolved, yet these cities could not reunite themselves nor reorganize their civil institutions, except in a very few instances.

Be that, however, as it may, the Romans found everywhere a league of republics, well armed for the most obstinate defense of their liberties, showing that it required the rare ability and extreme valor of the Romans to subjugate men. And to give but one example of this, we will confine ourselves to the case of the Samnites, which really seems marvelous. This people Titus Livius himself admits to have been so powerful and valiant in arms that, until the time of the Consul Papirius Cursor, grandson of the first Papirius, a period of forty years, they were able to resist the Romans, notwithstanding their many defeats, the destruction of their cities, and much slaughter. That country, which was then so thickly inhabited and contained so many cities, is now almost a desert; and yet it was originally so powerful and well governed that it would have been unconquerable by any other than Roman valor. It is easy to discover the cause of this different state of things, for it all comes from this, that formerly that people enjoyed freedom, and now they live in servitude; for, as I have already said above, only those cities and countries that are free can achieve greatness. Population is greater there because marriages are more free and offer more advantages to the citizen; for people will gladly have children when they know that they can support them, and that they will not be deprived of their patrimony, and where they know that their children not only are born free and not slaves, but, if they possess talents and virtue, can arrive at the highest dignities of the state. In free countries we also see wealth increase more rapidly, both that which results from the culture of the soil and that which is produced by industry and art; for everybody gladly multiplies those things, and seeks to acquire those goods the possession of which he can tranquilly enjoy. Thence men vie with each other to increase both private and public wealth, which consequently increase in an extraordinary manner. But the contrary of all this takes place in countries that are subject to another; and the more rigorous the subjection of the people, the more will they be deprived of all the good to which they had previously been accustomed. And the hardest of all servitudes is to be subject to a republic, and this for these reasons: first, because it is more enduring, and there is no hope of escaping from it; and secondly, because republics aim to enervate and weaken all other states so as to increase their own power. This is not the case with a prince who holds another country in subjection, unless indeed he should be a barbarous devastator of countries and a destroyer of all human civilization, such as the princes of the Orient. But if he be possessed of only ordinary humanity, he will treat all cities that are subject to him equally well, and will leave them in the enjoyment of their arts and industries, and measurably all their ancient institutions. So that if they cannot grow the same as if they were free, they will at least not be ruined whilst in bondage; and by this is understood that bondage into which cities fall that become subject to a stranger, for of that to one of their own citizens we have already spoken above.

Considering now all that has been said, we need not wonder at the power which the Samnites possessed, so long as they were free, nor at the feeble condition to which they afterwards became reduced when they were subjugated. Titus Livius testifies to this in several instances, and mainly in speaking of the war with Hannibal,[1] where he states that the Samnites, pressed by a legion of Romans which was at Nola, sent messengers to Hannibal to implore his assistance. These said in their address that for a hundred years they had combated the Romans with their own soldiers and generals, and had many times sustained the contest against two consular armies and two Consuls at once; but that now they had been reduced so low that they were hardly able to defend themselves against the one small Roman legion that was stationed at Nola.

Chapter 20: Of the Dangers to Which Princes and Republic Are Exposed that Employ Auxiliary or Mercenary Troops

Were it not that I have in another work of mine[2] treated at length of the uselessness of mercenaries and auxiliaries, and of the advantage of having national troops, I should discuss that subject more fully here; as it is, however, I shall refer to it but briefly, for I do not think that I ought, to pass it over entirely, having found a most striking example of it related by Titus Livius. I understand by auxiliary troops such as a prince or republic sends to your aid, but which are paid, and the commander of which is appointed by the prince or republic. Titus Livius relates the following. The Romans had on different occasions defeated the Samnites with the troops which had been sent from Rome to aid the Capuans;[3] and having relieved these of the war of the Samnites, they returned to Rome, leaving, however, two legions in the country for the protection of the Capuans, who had been deprived of their garrison, so as to save their city from falling again a prey to the Samnites. These legions, plunged in idleness, became so fond of Capua that, forgetful of their own country and of the respect due to the Senate, they conspired to make themselves masters of that country, which they had defended with their valor, deeming the inhabitants, who were incapable of protecting themselves, unworthy of its possession. When this plot became known to the Romans, they suppressed and punished it, as we shall more fully relate when we come to speak of conspiracies.

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[1] *war with Hannibal* The Second Punic War (218–201 BCE), during which Hannibal (247–c. 183 BCE) famously led his Carthaginian troops, complete with eighty war elephants, across the Alps to successfully engage the Romans in many battles (eventually, however, losing the war).

[2] *another work of mine* Machiavelli refers to *The Prince*.

[3] *Capuans* Ancient Capua (not identical with today's town of that name) was located where Santa Maria Capua Vetere stands, in Campania (southern Italy). Capua asked for and received Roman help to free it from its Samnite rulers in 343 BCE; the Capuans proved, however, an unreliable ally of Rome.

I repeat, then, that of all kinds of troops, auxiliaries are the most dangerous; for the prince or republic that calls them to their assistance has no control or authority whatever over them, as that remains entirely with him who sends them; for, as I have said, auxiliary troops that are sent you by any prince are under officers appointed by him, under his banner, and are paid by him, as was the case with the army sent by the Romans to Capua. Such troops, when victorious, generally plunder as well him to whose assistance they were sent as the enemy against whom they have been employed; and this they do either from the perfidy of the prince who sends them, or from their own ambition. And although it was not the intention of the Romans to break the treaty and convention they had made with the Capuans, yet the opportunity and facility of taking the country from the Capuans seemed so great to the soldiers that it suggested the thought and prompted the attempt. We might cite many more examples, but this one suffices, together with that of the people of Rhegium,[1] who lost their city and their lives by a legion which the Romans had sent there to garrison the place. A prince or republic, then, should adopt any other course rather than bring auxiliaries into their state for its defense, especially when their reliance is wholly upon them; for any treaty or convention with the enemy, however hard the conditions, will be less hard to bear than the danger from auxiliaries. And if we read carefully the history of the past, and observe the course of present events, we shall find that for one who derived benefit from auxiliaries there are an endless number who have been disappointed. And in truth no more favorable opportunity could be presented to an ambitious prince or republic for seizing a city or a province, than to be asked to send troops there to assist in its defense. And therefore anyone whose ambition so far misleads him as to call in strangers to aid in its defense, or in an attack upon others, seeks to acquire that which he will not be able to hold, and which after acquiring will be easily taken from him. But the ambition of men is such that, to gratify a present desire, they think not of the evils which will in a short time result from it. Nor will they be influenced by the examples of antiquity, which I have cited upon this and other points; for if they were, they would see that the more liberality they show to their neighbors, and the less desire they manifest to rob them of their territory, the more readily will those neighbors throw themselves into their arms, as we shall see further on from the conduct of the Capuans.

Chapter 29: Fortune Blinds the Minds of Men When She Does Not Wish Them to Oppose Her Designs

If we observe carefully the course of human affairs, we shall often notice accidents and occurrences against which it seems to be the will of Heaven that we should not have provided: And if the events to which I refer occurred at Rome, where there was so much virtue, so much religion, and such order, it is no wonder that similar circumstances occur even much more frequently in a city or province deficient in the above advantages. As the case in point is most remarkable in proving the power of Heaven over human affairs, Titus Livius relates at length in the most effective language, saying that Heaven, wishing to make the Romans feel its power, first caused the Fabii, who had been sent as ambassadors to the Gauls, to commit a grave error; and then, in consequence of this act, it excited the Gauls to make war upon Rome. Afterwards, Heaven ordained that nothing worthy of the Roman people be done to meet this war, having first caused Camillus, the only citizen capable of averting so great an evil, to be exiled to Ardea; and afterwards, the same people who had repeatedly created a Dictator to check the impetuous attacks of the Volscians and other neighboring enemies, failed to do so when the Gauls were marching upon Rome. They also displayed great lack of zeal and diligence in their levies of troops, which were very insufficient; and altogether they were so slow in taking up arms, that they were barely in time to encounter the Gauls upon the river Allia, ten miles from Rome. Here the Tribunes established their camp, without any sign of their customary diligence, without proper examination of the ground, without surrounding the camp with either ditch or stockade, and without any of those precautions which divine or human reason would prompt. And in their order of battle they formed their ranks open and feeble, so that neither the soldiers nor the captains did anything worthy of the Roman discipline; for they fought without bloodshed, and fled even before they were fairly attacked. The greater part of the army went off to Veii, and the rest retreated to Rome, where they went direct to the Capitol, without entering even their own houses. And the Senate, so far from defending Rome (any more than the others), did not even close its gates; a portion sought safety in flight, and a portion took refuge in the Capitol with the remnant of the army. It is true that in the defense of this citadel they employed some method and prudence; they did not encumber it with useless men; they supplied it with all the provisions possible, so as to be able to support a long siege; and the crowd of useless old men, women, and children fled and dispersed in great part to the neighboring places, and the others remained in Rome, a prey to the Gauls; so that anyone who had read of the deeds done by this people so many years before, and had then witnessed their conduct on that occasion, could not possibly have believed them to be the same people. And Titus Livius, who has given an account of all the above troubles, concludes by saying, "Fortune thus blinds the minds of men when she does not wish them to resist her power."[1]

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[1] *Rhegium* City in southern Italy, on the Strait of Messina, site of Reggio di Calabria today. Under Roman rule it was called Rhegium Julium.

Nothing could be more true than this conclusion; and therefore men who habitually live in great adversity or prosperity deserve less praise or less blame. For it will generally be found that they have been brought to their ruin or their greatness by some great occasion offered by Heaven, which gives them the opportunity, or deprives them of the power to conduct themselves with courage and wisdom. It certainly is the course of Fortune, when she wishes to effect some great result, to select for her instrument a man of such spirit and ability that he will recognize the opportunity which is afforded him. And thus, in the same way, when she wishes to effect the ruin and destruction of states, she places men at the head who contribute to and hasten such ruin; and if there be anyone powerful enough to resist her, she has him killed or deprives him of all means of doing any good. The instances cited show clearly how Fortune, by way of strengthening Rome and carrying her to that greatness which she attained, deemed it necessary to subject her to defeat (as we shall show in the beginning of the following Book,) but did not wish to ruin her entirely. And therefore we see how she caused Camillus to be exiled, but not killed; how she caused the city of Rome to be taken by the Gauls, but not the citadel; and in the same way she caused the Romans to do nothing well for the protection of the city, whilst their preparations for the defense of the Capitol they omitted nothing. To permit Rome to be taken, Fortune caused the greater part of the troops who were beaten on the Allia to go to Veii, and thus seemingly cut off all means of saving the city; and yet, at the same time whilst doing this, she prepared everything for the recovery of Rome. She caused almost an entire army to go to Veii and Camillus to be exiled to Ardea, so that, under the command of a general with a reputation untarnished by the disgrace of defeat, a sufficient body of troops might be brought together for the recapture of the city.[2]

I might cite some modern examples in confirmation of the views I have advanced, but do not deem it necessary, as that of the Romans suffices. I repeat, then, as an incontrovertible truth, proved by all history, that men may second Fortune, but they cannot oppose her; they may develop her designs, but cannot defeat them. But men should never despair on that account for, not knowing the aims of Fortune, which she pursues by dark and devious ways, men should always be hopeful; and never yield to despair whatever troubles or ill fortune may befall them.

from *Third Book*

Chapter 9: Whoever Desires Constant Success Must Change His Conduct with the Times

I have often reflected that the causes of the success or failure of men depend upon their manner of suiting their conduct to the times. We see one man proceed in his actions with passion and impetuosity; and as in both the one and the other case men are apt to exceed the proper limits, not being able always to observe the just middle course, they are apt to err in both. But he errs least and will be most favored by fortune who suits his proceedings to the times, as I have said above, and always follows the impulses of his nature. Everyone knows how Fabius Maximus[3] conducted the war against Hannibal with extreme caution and circumspection, and with an utter absence of all impetuosity or Roman audacity. It was his good fortune that this mode of proceeding accorded perfectly with the times and circumstances. For Hannibal arrived in Rome whilst still young and with his fortunes fresh; he had already twice routed the Romans, so that the republic was as it were deprived of her best troops, and greatly discouraged by her reverses. Rome could not therefore have been more favored by fortune, than to have a commander who by his extreme caution and the slowness of his movements kept the enemy at bay. At the same time, Fabius could not have found circumstances more favorable for his character and genius, to which fact he was indebted for his success and glory. And that this mode of proceeding was the result of his character and nature, and not a matter of choice, was shown on the occasion when Scipio[1] wanted to take the same troops to Africa for the purpose of promptly terminating the war. Fabius most earnestly opposed this, like a man incapable of breaking from his accustomed ways and habits; so that, if he had been master, Hannibal would have remained in Italy, because Fabius failed to perceive that the times were changed. But Rome was a republic that produced citizens of various character and dispositions, such as Fabius, who was excellent at the time when it was desirable to protract the war, and Scipio, when it became necessary to terminate it. It is this which assures to republics greater vitality and mere enduring success than monarchies have; for the diversity of the genius of her citizens enables the republic better to accommodate herself to the changes of the times than can be done by a prince. For any man accustomed to a certain mode of proceeding will never change it, as we have said, and consequently when time and circumstances change, so that his ways are no longer in harmony with them, he must of necessity succumb. Piero Soderini, whom we have mentioned several times already, was in all his actions governed by humanity and patience. He and his country prospered so long as the times favored this mode of proceeding; but when afterwards circumstances arose that demanded a course of conduct the opposite to that of patience and humanity, he was unfit for the occasion, and his own and his country's ruin were the consequence. Pope Julius II[2] acted throughout the whole period of his pontificate with the impetuosity and passion natural to his character; and as the times and circumstances well accorded with this; he was successful in all his undertakings. But if the times had changed so that different counsels would have been required, he would unquestionably have been ruined, for he could not have changed his character or mode of action.

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[1] *Fortune thus ... her power* The quotation is from Livy 5.37. The story about Rome is in Livy, 5.37–38.

[2] *she caused Camillus ... the city* Livy, 5.44–54.

[3] *Fabius Maximus* Quintus Fabius Maximus Cunctator (c. 275–203 BCE), commander of the Roman armies facing Hanni-

That we cannot thus change at will is due to two causes; the one is the impossibility of resisting the natural bent of our characters; and the other is the difficulty of persuading ourselves, after having been accustomed to success by a certain mode of proceeding, that any other can succeed as well. It is this that causes the varying success of a man; for the times change, but he does not change his mode of proceeding. The ruin of states is caused in like manner, as we have fully shown above, because they do not modify their institutions to suit the changes of the times. And such changes are more difficult and tardy in republics; for necessarily circumstances will occur that will unsettle the whole state, and when the change of proceeding of one man will not suffice for the occasion.

Having made mention of Fabius Maximus, and the manner in which he held Hannibal at bay, it seems to me opportune in the next chapter to examine the question whether a general who is resolved anyhow to give battle to the enemy can be prevented by the latter from doing so.

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bal, kept his troops back from engaging the invader; this initially provoked the scorn of the populace, who gave him the epithet "Cunctator" ("Delayer"); eventually his strategy, which conserved the Roman forces and concentrated instead on keeping the enemy short of supplies, proved to be the right one. Livy tells this story in Books 22 and 23.

[1] *Scipio* Scipio Africanus (236–183 BCE), proposed attacking Hannibal in Carthage (Africa); his proposal to the Senate in 205 BCE to do this was opposed by Fabius Maximus; but when Scipio finally did get to attack in Africa, he was successful. See Livy, Book 28.

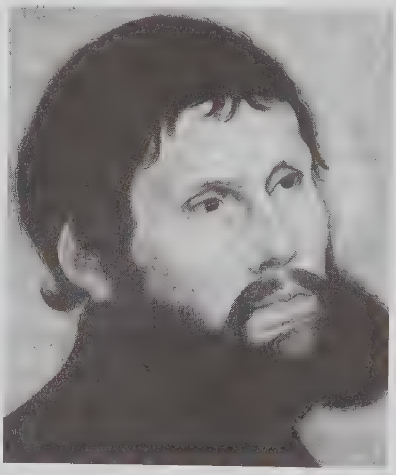
[2] *Pope Julius II* (1443–1513), Pope from 1503 to 1513. Known as the "Warrior Pope," he was strongly engaged in Italian alliances and power struggles.

MARTIN LUTHER

(1483 – 1546)

LUTHER WAS IN MANY WAYS A DEEPLY CONSERVATIVE thinker, but was paradoxically responsible for a revolution—the Reformation—that profoundly changed the religious, political, social, and cultural complexion of Europe.

Luther was born in Saxony, eastern Germany. His parents, of peasant roots but with some recent economic success, had ambitions for him, and sent him to study theology and law. In university he became compulsively anxious about religious matters—especially about his own sinfulness and the possibility of divine redemption—and lost interest in his studies. In 1505 he found himself in a violent thunderstorm, and vowed that if he survived, he would devote himself to the service of God. True to his word, he left university and entered a monastery. There his obsession with his own guilt and with God's anger continued to grow; he felt that his efforts to please God were in vain. At last he found some peace in the idea that God's forgiveness is a free gift given to the faithful through the intercession of Jesus Christ, not something received in recompense for human merit or good deeds. This idea was to form the center of his theological teaching.



At age 23 Luther was ordained a priest. Taking up a position as university teacher of Biblical studies, Luther continued to work out the implications of his insight. One was an ever-increasing disdain for rationalistic scholastic philosophy. Reason, he said later, is the "Devil's whore," useful for earthly matters but worse than useless in the spiritual realm. "Faith," he said, "must trample under foot all reason, sense, and understanding." He was particularly abusive toward the work of Aristotle ("the stinking philosopher") and Aquinas, whose theological opponent William of Ockham, with his anti-rationalism about religious matters, had impressed Luther in his studies.

In 1510, Luther traveled on foot to Rome, where he was shocked by the luxury and worldliness of the priesthood. For Luther, the outrageous practices of the church were epitomized by the sale of indulgences (pardons from temporal punishment for sin). He found this practice offensive not so much as a crass money-making scheme, but rather because religion, he thought, should be concerned with faith only, not reward and punishment for good works or bad.

Revulsion to various Church practices had been growing for a long time, as the Church abused its monopoly on ecclesiastical and temporal power, led by all-powerful popes too often greedy for power and wealth. The Renaissance saw the rise of efforts to transfer Church power to councils, and to revive the humanism of classical culture. But the conciliar and humanist movements were for the most part rejected and suppressed by an adamant Church.

The arrival in Luther's town in 1517 of a papal emissary selling indulgences prompted Luther to write a protest letter to the archbishop, and to nail a copy to the door of the Castle Church in Wittenburg. Within weeks this document, which came to be known as the 95 theses, had been circulated all over Germany, and within a few months, all over Europe. Luther hoped his protest would lead to discussion and reform, but the Church would not budge. Rome examined Luther's document for heresy, and dispatched theologians to argue the case against him. Luther began to write works expressly critical of the Church, requesting that German military force be used in an effort to induce the Church to discuss grievances, and calling for the clergy to revolt openly against Rome. He was excommunicated in 1521, and, because heresy was a civil crime, called before the Diet of Worms, a general assembly of the Holy Roman Empire. There he made his famous statement: "I neither can nor will make any retraction, since it is neither safe nor honorable to act against conscience.... Here I stand. I can do no other. God help me. Amen."

In response to Luther (and to the Church's efforts to suppress him), resistance to the Church grew widely around

Europe; in some cases such resistance turned violent. Luther, however, opposed such actions, advocating Christian love and patience, and telling people to trust God, not their own actions, to set things right. He argued that civil authority must be obeyed no matter what: the world is wicked and deserves wicked rulers. In 1525 German peasants rebelled, motivated by political oppression and social injustice, citing Luther's condemnation of the authority of the Church. But Luther urged the princes to suppress the rebellion in the sternest possible way, calling the peasants "mad dogs" and "swine."

His attack on authority was aimed only at the Church (and the Pope in particular). Lutheranism, once established as an official religion in parts of Germany, was arguably as intolerant as the Catholicism it had replaced; Luther championed political absolutism and opposed political freedom. The Reformation led to the Thirty Years War (1618–49), which began as a conflict between Protestants and Catholics and ravaged much of Europe. Luther was also violently anti-Semitic, advocating the confiscation of the property of unconverted Jews. Such views led to a mass expulsion of all Jews from Saxony, Brandenburg, and Silesia. In his treatise *On the Jews and Their Lies* (1543) Luther called the Jews a "base, whoring people," covered with the "devil's feces ... which they wallow in like swine." He added that "We are at fault in not slaying them."

Against Luther's temperament and deepest intentions, the rise of Protestantism, with its plethora of nonconforming sects, eventually resulted in civil pluralism and tolerance, anti-authoritarianism, and liberal respect for individual conscience.

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from Temporal Authority: To What Extent It Should Be Obeyed[1] (1523)

First, we must provide a sound basis for the civil law and sword so no one will doubt that it is in the world by God's will and ordinance. The passages which do this are the following: Romans 13, "Let every soul [*seele*] be subject to the governing authority, for there is no authority except from God; the authority which everywhere [*allenthalben*] exists has been ordained by God. He then who resists the governing authority resists the ordinance of God, and he who resists God's ordinance will incur judgment." Again, in 1 Peter 2 [.13–14], "Be subject to every kind of human ordinance, whether it be to the king as supreme, or to governors, as those who have been sent by him to punish the wicked and to praise the righteous."

The law of this temporal sword has existed from the beginning of the world. For when Cain slew his brother Abel, he was in such great terror of being killed in turn that God even placed a special prohibition on it and suspended the sword for his sake, so that no one was to slay him [Gen. 4.14–15]. He would not have had this fear if he had not seen and heard from Adam that murderers are to be slain. Moreover, after the Flood, God reestablished and confirmed this in unmistakable terms when he said in Genesis 9 [.6], "Whoever sheds the blood of man, by man shall his blood be shed." This cannot be understood as a plague or punishment of God upon murderers, for many murderers who are punished in other ways or pardoned altogether continue to live, and eventually die by means other than the sword. Rather, it is said of the law of the sword, that a murderer is guilty of death and in justice is to be slain by the sword. Now if justice should be hindered or the sword have become negligent so that the murderer dies a natural death, Scripture is not on that account false when it says, "Whoever sheds the blood of man, by man shall his blood be shed." The credit or blame belongs to men if this law instituted by God is not carried out; just as other commandments of God, too, are broken.

Afterward it was also confirmed by the law of Moses, Exodus 21 [.14], "If a man wilfully kills another, you shall take him from my altar, that he may die." And again, in the same chapter, "A life for a life, an eye for an eye, a tooth for a tooth, a foot for a foot, a hand for a hand, a wound for a wound, a stripe for a stripe." In addition, Christ also confirms it when he says to Peter in the garden, "He that takes the sword will perish by the sword" [Matt. 26.52], which is to be interpreted exactly like the Genesis 9 [.6] passage, "Whoever sheds the blood of man," etc. Christ is undoubtedly referring in these words to that very passage which he thereby wishes to cite and to confirm. John the Baptist also teaches the same thing. When the soldiers asked him what they should do, he answered, "Do neither violence nor injustice to anyone, and be content with your wages" [Luke 3.14]. If the sword were not a godly estate, he should have directed them to get out of it, since he was supposed to make the people perfect and instruct them in a proper Christian way. Hence, it is certain and clear enough that it is God's will that the temporal sword and law be used for the punishment of the wicked and the protection of the upright.

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[1] *Temporal Authority ... Obeyed* At Worms in 1521 Luther had been commanded by the highest temporal authority, the emperor, to recant his works, and he had refused. Several rulers had burned his works and imprisoned his followers, and Luther himself had been excommunicated and was under the ban of the empire. In the midst of these political consequences of the Reformation, Luther gave some sermons on temporal authority in October 1522, before Duke John of Saxony and others who urged him to publish his thoughts on the subject. Luther then wrote this relatively nonpolemical treatise in order to provide for the Christian a general theory of temporal authority. In it Luther explains the nature of temporal authority, its limitations, and the responsibilities of the Christian subject and the Christian ruler.

Second. There appear to be powerful arguments to the contrary. Christ says in Matthew 5 [.38–41], "You have heard that it was said to them of old: An eye for an eye, a tooth for a tooth. But I say to you, Do not resist evil; but if anyone strikes you on the right cheek, turn to him the other also. And if anyone would sue you and take your coat, let him have your cloak as well. And if anyone forces you to go one mile, go with him two miles," etc. Likewise Paul in Romans 12 [.19], "Beloved, defend not yourselves, but leave it to the wrath of God; for it is written, 'Vengeance is mine; I will repay, says the Lord.'" And in Matthew 5 [.44], "Love your enemies, do good to them that hate you." And again, in 1 Peter 2 [3.9], "Do not return evil for evil, or reviling for reviling," etc. These and similar passages would certainly make it appear as though in the New Testament Christians were to have no temporal sword.

Hence, the sophists also say that Christ has thereby abolished the law of Moses. Of such commandments they make "counsels" for the perfect. They divide Christian teaching and Christians into two classes. One part they call the perfect, and assign to it such counsels. The other they call the imperfect, and assign to it the commandments. This they do out of sheer wantonness and caprice, without any scriptural basis. They fail to see that in the same passage Christ lays such stress on his teaching that he is unwilling to have the least word of it set aside, and condemns to hell those who do not love their enemies. Therefore, we must interpret these passages differently, so that Christ's words may apply to everyone alike, be he perfect or imperfect. For perfection and imperfection do not consist in works, and do not establish any distinct external order among Christians. They exist in the heart, in faith and love, so that those who believe and love the most are the perfect ones, whether they be outwardly male or female, prince or peasant, monk or layman. For love and faith produce no sects or outward differences.

Third. Here we must divide the children of Adam and all mankind into two classes, the first belonging to the kingdom of God, the second to the kingdom of the world. Those who belong to the kingdom of God are all the true believers who are in Christ and under Christ, for Christ is King and Lord in the kingdom of God, as Psalm 2 [.6] and all of Scripture says. For this reason he came into the world, that he might begin God's kingdom and establish it in the world. Therefore, he says before Pilate, "My kingdom is not of the world, but *every* one who is of the truth hears my voice" [John 18.36–37]. In the gospel he continually refers to the kingdom of God, and says, "Amend your ways, the kingdom of God is at hand" [Matt. 4.17, 10.7]; again, "Seek first the kingdom of God and his righteousness" [Matt. 6.33]. He also calls the gospel a gospel of the kingdom of God; because it teaches, governs, and upholds God's kingdom.

Now observe, these people need no temporal law or sword. If all the world were composed of real Christians, that is, true believers, there would be no need for or benefits from prince, king, lord, sword, or law. They would serve no purpose, since Christians have in their heart the Holy Spirit, who both teaches and makes them to do injustice to no one, to love everyone, and to suffer injustice and even death willingly and cheerfully at the hands of anyone. Where there is nothing but the unadulterated doing of right and bearing of wrong, there is no need for any suit, litigation, court, judge, penalty, law, or sword. For this reason it is impossible that the temporal sword and law should find any work to do among Christians, since they do of their own accord much more than all laws and teachings can demand, just as Paul says in 1 Timothy 1 [.9], "The law is not laid down for the just but for the lawless."

Why is this? It is because the righteous man of his own accord does all and more than the law demands. But the unrighteous do nothing that the law demands; therefore, they need the law to instruct, constrain, and compel them to do good. A good tree needs no instruction or law to bear good fruit; its nature causes it to bear according to its kind without any law or instruction. I would take to be quite a fool any man who would make a book full of laws and statutes for an apple tree telling it how to bear apples and not thorns, when the tree is able by its own nature to do this better than the man with all his books can describe and demand. Just so, by the Spirit and by faith all Christians are so thoroughly disposed and conditioned in their very nature that they do right and keep the law better than one can teach them with all manner of statutes; so far as they themselves are concerned, no statutes or laws are needed.

You ask: Why, then, did God give so many commandments to all mankind, and why does Christ prescribe in the gospel so many things for us to do? Of this I have written at length in the Postils[1] and elsewhere. To put it here as briefly as possible, Paul says that the law has been laid down for the sake of the lawless [1 Tim. 1.9], that is, so that those who are not Christians may through the law be restrained outwardly from evil deeds, as we shall hear later. Now since no one is by nature Christian or righteous, but altogether sinful and wicked, God through the law puts them all under restraint so they dare not wilfully implement their wickedness in actual deeds. In addition, Paul ascribes to the law another function in Romans 7 and Galatians 2,[2] that of teaching men to recognize sin in order that it may make them humble unto grace and unto faith in Christ. Christ does the same thing here in Matthew 5 [.39], where he teaches that we should not resist evil; by this he is interpreting the law and teaching what ought to be and must be the state and temper of a true Christian, as we shall hear further later on.

Fourth. All who are not Christians belong to the kingdom of the world and are under the law. There are few true believers, and still fewer who live a Christian life, who do not resist evil and indeed themselves do no evil. For this reason God has provided for them a different government beyond the Christian estate and kingdom of God. He has subjected them to the sword so that, even though they would like to, they are unable to practice their wickedness, and if they do practice it they cannot do so without fear or with success and impunity. In the same way a savage wild beast is bound with chains and ropes so that it cannot bite and tear as it would normally do, even though it would like to; whereas a tame and gentle animal needs no restraint, but is harmless despite the lack of chains and ropes.

If this were not so, men would devour one another, seeing that the whole world is evil and that among thousands there is scarcely a single true Christian. No one could support wife and child, feed himself, and serve God. The world would be reduced to chaos. For this reason God has ordained two governments: the spiritual, by which the Holy Spirit produces Christians and righteous people under Christ; and the temporal, which restrains the un-Christian and wicked so that—no thanks to them—they are obliged to keep still and to maintain an outward peace. Thus does St. Paul interpret the temporal sword in Romans 13 [.3], when he says it is not a terror to good conduct but to bad. And Peter says it is for the punishment of the wicked [1 Pet. 2.14].

If anyone attempted to rule the world by the gospel and to abolish all temporal law and sword on the plea that all are baptized and Christian, and that, according to the gospel, there shall be among them no law or sword—or need for either—pray tell me, friend, what would he be doing? He would be loosing the ropes and chains of the savage wild beasts and letting them bite and mangle everyone, meanwhile insisting that they were harmless, tame, and gentle creatures; but I would have the proof in my wounds. Just so would the wicked under the name of Christianity abuse evangelical freedom, carry on their rascality, and insist that they were Christians subject neither to law nor sword, as some are already raving and ranting.[3]

To such a one we must say: Certainly it is true that Christians, so far as they themselves are concerned, are subject neither to law nor sword, and have need of neither. But take heed and first fill the world with real Christians before you attempt to rule it in a Christian and evangelical manner. This you will never accomplish; for the world and the masses are and always will be un-Christian, even if they are all baptized and Christian in name. Christians are few and far between (as the saying is). Therefore, it is out of the question that there should be a common Christian government over the whole world, or indeed over a single country or any considerable body of people, for the wicked always outnumber the good. Hence, a man who would venture to govern an entire country or the world with the gospel would be like a shepherd who should put together in one fold wolves, lions, eagles, and sheep, and let them mingle freely with one another, saying, "Help yourselves, and be good and peaceful toward one another. The fold is open, there is plenty of food. You need have no fear of dogs and clubs." The sheep would doubtless keep the peace and allow themselves to be fed and governed peacefully, but they would not live long, nor would one beast survive another.

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[1] *the Postils* Collection of sermons expounding the Epistles and Gospels for the Sundays and festivals of the church year.

[2] *Galatians 2* Luther probably was referring to Galatians 3.19, 24.

[3] *the wicked ... raving and ranting* Luther is referring here to the radical religious groups of the time—most prominent among them the Anabaptists (so named for their rejection of infant baptism, on the grounds that only an adult could truly believe in God), who resisted almost all forms of church authority.

For this reason one must carefully distinguish between these two governments. Both must be permitted to remain; the one to produce righteousness, the other to bring about external peace and prevent evil deeds. Neither one is sufficient in the world without the other.

Fifth. But you say: if Christians then do not need the temporal sword or law, why does Paul say to all Christians in Romans 13 [.1], "Let all souls be subject to the governing authority," and St. Peter, "Be subject to every human ordinance" [1 Pet 2.13], etc., as quoted above? Answer: I have just said that Christians, among themselves and by and for themselves, need no law or sword, since it is neither necessary nor useful for them. Since a true Christian lives and labors on earth not for himself alone but for his neighbor, he does by the very nature of his spirit even what he himself has no need of, but is needful and useful to his neighbor. Because the sword is most beneficial and necessary for the whole world in order to preserve peace, punish sin, and restrain the wicked, the Christian submits most willingly to the rule of the sword, pays his taxes, honors those in authority, serves, helps, and does all he can to assist the governing authority, that it may continue to function and be held in honor and fear. Although he has no need of these things for himself—to him they are not essential—nevertheless, he concerns himself about what is serviceable and of benefit to others, as Paul teaches in Ephesians 5 [.21–6.9].

Just as he performs all other works of love which he himself does not need—he does not visit the sick in order that he himself may be made well, or feed others because he himself needs food—so he serves the governing authority not because he needs it but for the sake of others, that they may be protected and that the wicked may not become worse.

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Sixth. You ask whether a Christian too may bear the temporal sword and punish the wicked, since Christ's words, "Do not resist evil," are so clear and definite that the sophists have had to make of them a "counsel." Answer: You have now heard two propositions. One is that the sword can have no place among Christians; therefore, you cannot bear it among Christians or hold it over them, for they do not need it. The question, therefore, must be referred to the other group, the non-Christians, whether you may bear it there in a Christian manner. Here the other proposition applies, that you are under obligation to serve and assist the sword by whatever means you can, with body, goods, honor, and soul. For it is something which you do not need, but which is very beneficial and essential for the whole world and for your neighbor. Therefore, if you see that there is a lack of hangmen, constables, judges, lords, or princes, and you find that you are qualified, you should offer your services and seek the position, that the essential governmental authority may not be despised and become enfeebled or perish. The world cannot and dare not dispense with it.

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To prove our position also by the New Testament, the testimony of John the Baptist in Luke 3 [.14] stands unshaken on this point. There can be no doubt that it was his task to point to Christ, witness for him, and teach about him; that is to say, the teaching of the man who was to lead a truly perfected people to Christ had of necessity to be purely New Testament and evangelical. John confirms the soldiers' calling, saying they should be content with their wages. Now if it had been un-Christian to bear the sword, he ought to have censured them for it and told them to abandon both wages and sword, else he would not have been teaching them Christianity aright. So likewise, when St. Peter in Acts 10 [.34–43] preached Christ to Cornelius, he did not tell him to abandon his profession, which he would have had to do if it had prevented Cornelius from being a Christian. Moreover, before he was baptized the Holy Spirit came upon him [Acts 10.44–48]. St. Luke also praises him as an upright man prior to St. Peter's sermon, and does not criticize him for being a soldier, the centurion of a pagan emperor [Acts 10.1–2]. It is only right that what the Holy Spirit permitted to remain and did not censure in the case of Cornelius, we too should permit and not censure.

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Here you see that Christ is not abrogating the law when he says, "You have heard that it was said to them of old, 'An eye for an eye'; but I say to you: Do not resist evil," etc. [Matt. 5.38–39]. On the contrary, he is expounding the meaning of the law as it is to be understood, as if he were to say, "You Jews think that it is right and proper in the sight of God to recover by law what is yours. You rely on what Moses said, 'An eye for an eye,' etc. But I say to you that Moses set this law over the wicked, who do not belong to

God's kingdom, in order that they might not avenge themselves or do worse but be compelled by such outward law to desist from evil, in order that by outward law and rule they might be kept subordinate to the governing authority. You, however, should so conduct yourselves that you neither need nor resort to such law. Although the temporal authority must have such a law by which to judge unbelievers, and although you yourselves may also use it for judging others, still you should not invoke or use it for yourselves and in your own affairs. You have the kingdom of heaven; therefore, you should leave the kingdom of earth to anyone who wants to take it."

There you see that Christ does not interpret his words to mean that he is abrogating the law of Moses or prohibiting temporal authority. He is rather making an exception of his own people. They are not to use the secular authority for themselves but leave it to unbelievers. Yet they may also serve these unbelievers, even with their own law, since they are not Christians and no one can be forced into Christianity. That Christ's words apply only to his own is evident from the fact that later on he says they should love their enemies and be perfect like their heavenly Father [Matt. 5.44, 48]. But he who loves his enemies and is perfect leaves the law alone and does not use it to demand an eye for an eye. Neither does he restrain the non-Christians, however, who do not love their enemies and who do wish to make use of the law; indeed, he lends his help that these laws may hinder the wicked from doing worse.

Thus the word of Christ is now reconciled, I believe, with the passages which establish the sword, and the meaning is this: No Christian shall wield or invoke the sword for himself and his cause. On behalf of another, however, he may and should wield it and invoke it to restrain wickedness and to defend godliness. Even as the Lord says in the same chapter [Matt. 5.34–37]; "A Christian should not swear,[1] but his word should be Yes, yes; No, no." That is, for himself and of his own volition and desire, he should not swear. When it is needful or necessary, however, and salvation or the honor of God demands it, he should swear. Thus, he uses the forbidden oath to serve another, just as he uses the forbidden sword to serve another. Christ and Paul often swore[2] in order to make their teaching and testimony valuable and credible to others, as men do and have the right to do in covenants and compacts, etc., of which Psalm 63 [.11] says, "They shall be praised who swear by his name."

Here you inquire further, whether constables, hangmen, jurists, lawyers, and others of similar function can also be Christians and in a state of salvation. Answer: If the governing authority and its sword are a divine service, as was proved above, then everything that is essential for the authority's bearing of the sword must also be divine service. There must be those who arrest, prosecute, execute, and destroy the wicked, and who protect, acquit, defend, and save the good. Therefore, when they perform their duties, not with the intention of seeking their own ends but only of helping the law and the governing authority function to coerce the wicked, there is no peril in that; they may use their office like anybody else would use his trade, as a means of livelihood. For, as has been said, love of neighbor is not concerned about its own; it considers not how great or humble, but how profitable and needful the works are for neighbor or community.

You may ask, "Why may I not use the sword for myself and for my own cause, so long as it is my intention not to seek my own advantage but to punish evil?" Answer: Such a miracle is not impossible, but very rare and hazardous. Where the Spirit is so richly present it may well happen. For we read thus of Samson in Judges 15 [.11], that he said, "As they did to me, so have I done to them," even though Proverbs 24 [.29] says to the contrary, "Do not say, I will do to him as he has done to me," and Proverbs 20 [.22] adds, "Do not say, I will repay him his evil." Samson was called of God to harass the Philistines and deliver the children of Israel. Although he used them as an occasion to further his own cause, still he did not do so in order to avenge himself or to seek his own interests, but to serve others and to punish the Philistines [Judg. 14.4]. No one but a true Christian, filled with the Spirit, will follow this example. Where reason too tries to do likewise, it will probably contend that it is not trying to seek its own, but this will be basically untrue, for it cannot be done without grace. Therefore first become like Samson, and then you can also do as Samson did.

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[1] *swear* Declare solemnly or forcefully, perhaps by invoking God or heaven.

[2] *Christ and Paul often swore* According to the Bible, Christ frequently emphasized his assertions by saying, "Truly I say unto you," and Paul said, "The God and Father of our Lord Jesus Christ, which is blessed forevermore, knoweth that I lie not" (2 Corinthians 11.31) and "Now the things which I write unto you, behold, before God, I lie not" (Galatians 1.20).

Part Two: How Far Temporal Authority Extends

We come now to the main part of this treatise. Having learned that there must be temporal authority on earth, and how it is to be exercised in a Christian and salutary manner, we must now learn how far its arm extends and how widely its hand stretches, lest it extend too far and encroach upon God's kingdom and government. It is essential for us to know this, for where it is given too wide a scope, intolerable and terrible injury follows; on the other hand, injury is also inevitable where it is restricted too narrowly. In the former case, the temporal authority punishes too much; in the latter case, it punishes too little. To err in this direction, however, and punish too little is more tolerable, for it is always better to let a scoundrel live than to put a godly man to death. The world has plenty of scoundrels anyway and must continue to have them, but godly men are scarce.

It is to be noted first that the two classes of Adam's children—the one in God's kingdom under Christ and the other in the kingdom of the world under the governing authority, as was said above—have two kinds of law. For every kingdom must have its own laws and statutes; without law no kingdom or government can survive, as everyday experience amply shows. The temporal government has laws which extend no further than to life and property and external affairs on earth, for God cannot and will not permit anyone but himself to rule over the soul. Therefore, where the temporal authority presumes to prescribe laws for the soul, it encroaches upon God's government and only misleads souls and destroys them. We want to make this so clear that everyone will grasp it, and that our fine gentlemen, the princes and bishops, will see what fools they are when they seek to coerce the people with their laws and commandments into believing this or that.

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Furthermore, every man runs his own risk in believing as he does, and he must see to it himself that he believes rightly. As nobody else can go to heaven or hell for me, so nobody else can believe or disbelieve for me; as nobody else can open or close heaven or hell to me, so nobody else can drive me to belief or unbelief. How he believes or disbelieves is a matter for the conscience of each individual, and since this takes nothing away from the temporal authority the latter should be content to attend to its own affairs and let men believe this or that as they are able and willing, and constrain no one by force. For faith is a free act, to which no one can be forced. Indeed, it is a work of God in the spirit, not something which outward authority should compel or create. Hence arises the common saying, found also in Augustine,[1] "No one can or ought to be forced to believe."

Moreover, the blind, wretched fellows fail to see how utterly hopeless and impossible a thing they are attempting. For no matter how harshly they lay down the law, or how violently they rage, they can do no more than force an outward compliance of the mouth and the hand; the heart they cannot compel, though they work themselves to a frazzle. For the proverb is true: "Thoughts are tax-free." Why do they persist in trying to force people to believe from the heart when they see that it is impossible? In so doing they only compel weak consciences to lie, to disavow, and to utter what is not in their hearts. They thereby load themselves down with dreadful alien sins, for all the lies and false confessions which such weak consciences utter fall back upon him who compels them. Even if their subjects were in error, it would be much easier simply to let them err than to compel them to lie and to utter what is not in their hearts. In addition, it is not right to prevent evil by something even worse.

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If your prince or temporal ruler commands you to side with the pope, to believe thus and so, or to get rid of certain books, you should say, *it* is not fitting that Lucifer[2] should sit at the side of God. Gracious sir, I owe you obedience in body and property; command me within the limits of your authority on earth, and I will obey. But if you command me to believe or to get rid of certain books, I will not obey; for then you are a tyrant and overreach yourself, commanding where you have neither the right nor the authority," etc. Should he seize your property on account of this and punish such disobedience, then blessed are you; thank God that you are worthy to suffer for the sake of the divine word. Let him rage, fool that he is; he will meet his judge. For I tell you, if you fail to withstand him, if you give in to him and let him take away your faith and your books, you have truly denied God.

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You must know that since the beginning of the world a wise prince is a mighty rare bird, and an upright prince even rarer. They are generally the biggest fools or the worst scoundrels on earth; therefore, one must constantly expect the worst from them and look for little good, especially in divine matters which concern the salvation of souls. They are God's executioners and hangmen; his divine wrath uses them to punish the wicked and to maintain outward peace.

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[1] *found also in Augustine* In *Contra litteras Petiliani*, 2.

[2] *Lucifer* The rebel angel hurled from heaven, identified with Satan in late medieval and modern Christian thought.

Our God is a great lord and ruler; this is why he must also have such noble, highborn, and rich hangmen and constables. He desires that everyone shall copiously accord them riches, honor, and fear in abundance. It pleases his divine will that we call his hangmen gracious lords, fall at their feet, and be subject to them in all humility, so long as they do not ply their trade too far and try to become shepherds instead of hangmen. If a prince should happen to be wise, upright, or a Christian, that is one of the great miracles, the most precious token of divine grace upon that land. Ordinarily the course of events is in accordance with the passage from Isaiah 8 [.4], "I will make boys their princes, and gaping fools shall rule over them"; and in Hosea 13 [.11], "I will give you a king in my anger, and take him away in my wrath." The world is too wicked, and does not deserve to have many wise and upright princes. Frogs must have their storks.[1]

Again you say, "The temporal power is not forcing men to believe; it is simply seeing to it externally that no one deceives the people by false doctrine; how could heretics otherwise be restrained?" Answer: This the bishops should do; it is a function entrusted to them and not to the princes. Heresy can never be restrained by force. One will have to tackle the problem in some other way, for heresy must be opposed and dealt with otherwise than with the sword. Here God's word must do the fighting. If it does not succeed, certainly the temporal power will not succeed either, even if it were to drench the world in blood. Heresy is a spiritual matter which you cannot hack to pieces with iron, consume with fire, or drown in water. God's word alone avails here, as Paul says in 2 Corinthians 10 [.4–5], "Our weapons are not carnal, but mighty in God to destroy every argument and proud obstacle that exalts itself against the knowledge of God, and to take every thought captive in the service of Christ."

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But you might say, "Since there is to be no temporal sword among Christians, how then are they to be ruled outwardly? There certainly must be authority even among Christians." Answer: Among Christians there shall and can be no authority; rather all are alike subject to one another, as Paul says in Romans 12: "Each shall consider the other his superior"; and Peter says in 1 Peter 5 [.5], "All of you be subject to one another." This is also what Christ means in Luke 14 [.10], "When you are invited to a wedding, go and sit in the lowest place." Among Christians there is no superior but Christ himself, and him alone. What kind of authority can there be where all are equal and have the same right, power, possession, and honor, and where no one desires to be the other's superior, but each the other's subordinate? Where there are such people, one could not establish authority even if he wanted to, since in the nature of things it is impossible to have superiors where no one is able or willing to be a superior. Where there are no such people, however, there are no real Christians either.

What, then, are the priests and bishops? Answer: Their government is not a matter of authority or power, but a service and an office, for they are neither higher nor better than other Christians. Therefore, they should impose no law or decree on others without their will and consent. Their ruling is rather nothing more than the inculcating of God's word, by which they guide Christians and overcome heresy. As we have said, Christians can be ruled by nothing except God's word, for Christians must be ruled in faith, not with outward works. Faith, however, can come through no word of man, but only through the word of God, as Paul says in Romans 10 [.17], "Faith comes through hearing, and hearing through the word of God." Those who do not believe are not Christians; they do not belong to Christ's kingdom, but to the worldly kingdom where they are constrained and governed by the sword and by outward rule. Christians do every good thing of their own accord and without constraint, and find God's word alone sufficient for them. Of this I have written frequently and at length elsewhere.

Part Three

Now that we know the limits of temporal authority, it is time to inquire also how a prince should use it. We do this for the sake of those very few who would also like very much to be Christian princes and lords, and who desire to enter into the life in heaven.

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[1] *Frogs must have their storks* I.e., people get the rulers they deserve. This proverbial saying derived from Aesop's fable "The Frogs who Desired a King" in which the frogs are bored and ask Jupiter to send them a king who will really rule over them; Jupiter sends them a stork, who proceeds to devour them.

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First. He must give consideration and attention to his subjects, and really devote himself to it. This he does when he directs his every thought to making himself useful and beneficial to them; when instead of thinking, "The land and people belong to me, I will do what best pleases me," he thinks rather, "I belong to the land and the people, I shall do what is good for them ...

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Second. He must beware of the high and mighty and of his counselors, and so conduct himself toward them that he despises none, but also trusts none enough to leave everything to him.

God cannot tolerate either course.

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Third. He must take care to deal justly with evildoers. Here he must be very wise and prudent, so he can inflict punishment without injury to others.... Therefore, he must not follow the advice of those counselors and fire-eaters who would stir and incite him to start a war, saying, "What, must we suffer such insult and injustice?" He is a mighty poor Christian who for the sake of a single castle would put the whole land in jeopardy.

In short, here one must go by the proverb, "He cannot govern who cannot wink at faults." Let this be his rule: Where wrong cannot be punished without greater wrong, there let him waive his rights, however just they may be. He should not have regard to his own injury, but to the wrong others must suffer in consequence of the penalty he imposes. What have the many women and children done to deserve being made widows and orphans in order that you may avenge yourself on a worthless tongue or an evil hand which has injured you?

Here you will ask: "Is a prince then not to go to war, and are his subjects not to follow him into battle?" Answer: This is a far-reaching question, but let me answer it very briefly. To act here as a Christian, I say, a prince should not go to war against his overlord—king, emperor, or other liege lord—but let him who takes, take. For the governing authority must not be resisted by force, but only by confession of the truth. If it is influenced by this, well and good; if not, you are excused, you suffer wrong for God's sake. If, however, the antagonist is your equal, your inferior, or of a foreign government, you should first offer him justice and peace, as Moses taught the children of Israel. If he refuses, then—mindful of what is best for you—defend yourself against force by force, as Moses so well describes it in Deuteronomy 20 [.10–12]. But in doing this you must not consider your personal interests and how you may remain lord, but those of your subjects to whom you owe help and protection, that such action may proceed in love. Since your entire land is in peril you must make the venture, so that with God's help all may not be lost. If you cannot prevent some from becoming widows and orphans as a consequence, you must at least see that not everything goes to ruin until there is nothing left except widows and orphans.

In this matter subjects are in duty bound to follow, and to devote their life and property, for in such a case one must risk his goods and himself for the sake of others. In a war of this sort it is both Christian and an act of love to kill the enemy without hesitation, to plunder and burn and injure him by every method of warfare until he is conquered (except that one must beware of sin, and not violate wives and virgins). And when victory has been achieved, one should offer mercy and peace to those who surrender and humble themselves ...

What if a prince is in the wrong? Are his people bound to follow him then too? Answer: No, for it is no one's duty to do wrong; we must obey God (who desires the right) rather than men [Acts 5.29]. What if the subjects do not know whether their prince is in the right or not? Answer: So long as they do not know, and cannot with all possible diligence find out, they may obey him without peril to their souls. For in such a case one must apply the law of Moses in Exodus 21, where he writes that a murderer who has unknowingly and unintentionally killed a man shall through flight to a city of refuge and by judgment of a court be declared acquitted. Whichever side then suffers defeat, whether it be in the right or in the wrong, must accept it as a punishment from God. Whichever side fights and wins in such ignorance, however, must regard its battle as though someone fell from a roof and killed another, and leave the matter to God. It is all the same to God whether he deprives you of life and property by a just or by an unjust lord. You are His creature and He can do with you as He wills, just so your conscience is clear. Thus in Genesis 20 [.2–7] God himself excuses Abimelech for taking Abraham's wife; not because he had done right, but because he had not known that she was Abraham's wife.

Fourth. Here we come to what should really have been placed first, and of which we spoke above. A prince must act in a Christian way toward his God also; that is, he must subject himself to him in entire confidence and pray for wisdom to rule well, as Solomon did [1 Kings 3.9]. But of faith and trust in God I have written so much that it is not necessary to say more here. Therefore, we will close with this brief summation, that a prince's duty is fourfold: First, toward God there must be true confidence and earnest prayer; second, toward his subjects there must be love and Christian service; third, with respect to his counselors and officials he must maintain an untrammeled reason and unfettered judgment; fourth, with respect to evildoers he must manifest a restrained severity and firmness. Then the prince's job will be done right, both outwardly and inwardly; it will be pleasing to God and to the people. But he will have to expect much envy and sorrow on account of it; the cross will soon rest on the shoulders of such a prince.

Finally, I must add an appendix in answer to those who raise questions about restitution, that is, about the return of goods wrongfully acquired. This is a matter about which the temporal sword is commonly concerned; much has been written about it, and many fantastically severe judgments have been sought in cases of this sort. I will put it all in a few words, however, and at one fell swoop dispose of all such laws and of the harsh judgments based upon them, thus: No surer law can be found in this matter than the law of love. In the first place, when a case of this sort is brought before you in which one is to make restitution to another, if they are both Christians the matter is soon settled; neither will withhold what belongs to the other, and neither will demand that it be returned. If only one of them is a Christian, namely, the one to whom restitution is due, it is again easy to settle, for he does not care whether restitution is ever made to him. The same is true if the one who is supposed to make restitution is a Christian, for he will do so.

But whether one be a Christian or not a Christian, you should decide the question of restitution as follows. If the debtor is poor and unable to make restitution, and the other party is not poor, then you should let the law of love prevail and acquit the debtor; for according to the law of love the other party is in any event obliged to relinquish the debt and, if necessary, to give him something besides. But if the debtor is not poor, then have him restore as much as he can, whether it be all, a half, a third, or a fourth of it, provided that you leave him enough to assure a house, food, and clothing for himself, his wife, and his children. This much you would owe him in any case, if you could afford it; so much the less ought you to take it away now, since you do not need it and he cannot get along without it.

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A good and just decision must not and cannot be pronounced out of books, but must come from a free mind, as though there were no books. Such a free decision is given, however, by love and by natural law, with which all reason is filled; out of the books come extravagant and untenable judgments. Let me give you an example of this.

This story is told of Duke Charles of Burgundy.[1] A certain nobleman took an enemy prisoner. The prisoner's wife came to ransom her husband. The nobleman promised to give back the husband on condition that she would lie with him. The woman was virtuous, yet wished to set her husband free; so she goes and asks her husband whether she should do this thing in order to set him free. The husband wished to be set free and to save his life, so he gives his wife permission. After the nobleman had lain with the wife, he had the husband beheaded the next day and gave him to her as a corpse. She laid the whole case before Duke Charles. He summoned the nobleman and commanded him to marry the woman. When the wedding day was over he had the nobleman beheaded, gave the woman possession of his property, and restored her to honor. Thus he punished the crime in a princely way.

Observe: No pope, no jurist, no lawbook could have given him such a decision. It sprang from untrammeled reason, above the law in all the books, and is so excellent that everyone must approve of it and find the justice of it written in his own heart. St. Augustine relates a similar story in *The Lord's Sermon on the Mount*.[2] Therefore, we should keep written laws subject to reason, from which they originally welled forth as from the spring of justice. We should not make the spring dependent on its rivulets, or make reason a captive of letters.

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[1] *Duke Charles of Burgundy* Charles the Bold, Duke of Burgundy from 1467–77.

[2] *The Lord's Sermon on the Mount* St. Augustine wrote a commentary on Jesus' sermon in Matthew 5.1–7.29.

JOHN CALVIN

(1509 – 1564)

While Martin Luther was the central force that began the Protestant Reformation, Calvin, a generation later, established much of its theological, social, and political shape. Calvin was born in France (original name Jean Chauvin or Cauvin, Latinized to Calvinus), son of an attorney of some importance in the town of Noyon. At age 14, he was sent to the University of Paris, where he studied humanities and theology, in preparation for the priesthood, and had some contact with the humanistic and reform movements, with which he was becoming increasingly sympathetic. After receiving a master of arts degree, he moved to Orléans to take a law degree.

By 1534 he had completely broken with his Catholic upbringing, and from then on he devoted himself to the cause of the Reformation. When his mentor announced his support for Martin Luther in 1535, he and Calvin were forced to flee. In 1536 Calvin published the first edition of his major work (revised several times thereafter), *Institutes of the Christian Religion*; this work established him as a leading Protestant thinker.

His travels in 1536 took him through Geneva, a town racked with struggles between the Catholic establishment and the new Protestant forces. Guillaume Farel, a fiery Protestant evangelist, convinced Calvin to stay there to help with their cause; but two years later, the town voted to banish Farel, and Calvin went to Strasbourg, where he became involved with the community's religious affairs, and married. There he published *Commentary on Romans*, the first of many highly influential biblical commentaries.

In 1541, Calvin was persuaded to return to Geneva, which remained his home for the rest of his life. As the Protestants gained dominance in the city, Calvin became influential in government, though he never held public office. He drafted new laws which became the basis of the new constitution for the city, covering secular and sacred matters; and he worked to develop new educational and health institutions, and civil infrastructure.

Protestant rule in Geneva was not more liberal than the Catholic regime it had displaced. It was essentially a theocratic state; Calvin's influence was important in reformation of the government to incorporate the Protestant clergy into the ruling councils of the city, and to impose strict moral and religious codes on the population. In 1553, Calvin was instrumental in the prosecution for heresy of Michael Servetus—a Protestant dissident (considered an ancestor of the Unitarian movement) whose views on various theological matters were condemned by Catholics and Protestants alike. Servetus was condemned and burned at the stake. Calvin approved of his execution, though he claimed afterwards to have suggested that beheading would have been more humane.

By the mid 1550s, Geneva was perhaps the most important Protestant center in Europe; foreign reformers, often expelled from their own countries, flocked there, spreading Calvin's influence when they left. Calvinism was also effectively promulgated across northern Europe by his writings and prodigious correspondence.

Calvin was less of a theological innovator than Luther, whose ideas resemble his in many respects. Like Luther, he emphasized strong reliance on the Christian scriptures, in contrast to the Catholic reliance on the authority of the Pope or on philosophical theology. He rivaled Luther in the strength of his vituperative diatribes against philosophy and its role in scholastic theology. Calvin advised looking to a literal reading of scripture as the source not only for religious belief, but also for the proper structure of temporal government and society. Like Luther again, and unlike the Catholic church and some more moderate Protestant theologies, Calvinism held that salvation for an individual person was pre-ordained by God from the beginning of time, and was not the product of that person's choices or actions. One who is pre-ordained for salvation—a member of the "elect"—can be expected to act well, but right action is not the cause of that person's salvation. And Calvin shared with Luther a strong sense of human evil and corruption: we all deserve destruction, but may achieve salvation as a free gift from God through the intervention of Jesus Christ.

Despite Calvin's contribution to an authoritarian theocracy in Geneva, some twentieth- and twenty-first-century commentators think that Calvinism contributed to the rise of modern civil-libertarian democracy, because of his insistence on the importance of elected officials, rule of law, and on the reliance on conscience in the both church and state.

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from On Civil Government (1534)

Having already stated that man is the subject of two kinds of government, and having sufficiently discussed that which is situated in the soul, or the inner man, and relates to eternal life—we are, in this chapter, to say something of the other kind, which relates to civil justice and the regulation of external conduct. For, though this topic may seem to have no connection with the spiritual doctrine of faith which I have undertaken to discuss, the discussion which follows will show that I have sufficient reason for connecting them together, and, indeed, that necessity obliges me to do so. This is particularly the case since, on the one hand, crazed and barbarous men try madly to subvert the laws established by God, and, on the other hand, the flatterers of princes, extolling their power beyond all just bounds, do not hesitate to set such earthly power against the authority of God himself. Unless both these errors be resisted, the purity of the faith will be destroyed. Besides, it is of no small importance for us to know what benevolent provision God has made for mankind in this instance, so that we may be stimulated by a greater degree of pious zeal to show our gratitude.

In the first place, before we enter into the subject itself, it is necessary for us to return to the distinction which we have already established, lest we fall into an error very common in the world, and injudiciously confound two things, the nature of which is altogether different. For some men, when they hear that the Gospel promises a liberty which acknowledges no king or magistrate[1] among them, but submits to Christ alone, think they cannot take proper advantage of their liberty so long as they see any power exalted above them. They imagine that nothing will prosper unless the whole world be modeled in a new form, without any governments, or laws, or magistrates, or anything of a similar kind which they consider injurious to their liberty. But he who knows how to distinguish between the body and the soul, between this present transitory life and the future eternal one, will find no difficulty in understanding that the spiritual kingdom of Christ and the civil government are things very different and remote from each other. It is a Jewish folly to seek to include the kingdom of Christ under the elements of this world;[2] let us, on the contrary, (with a view to what the Scripture clearly inculcates, that the benefit which is received from the grace of Christ is spiritual)—let us, I say, remember to confine within its proper limits all this liberty which is promised and offered to us. For why is it that the same apostle who, in one place, exhorts to "stand fast in the liberty that Christ has given us, and be not entangled again with the yoke of bondage,"[3] in another enjoins servants to "care not for" their servile condition,[4] accepting that spiritual liberty may very well co-exist with civil servitude? Likewise, how are we to understand him in the following passages: "There is neither Jew nor Greek; there is neither bond nor free, there is neither male nor female."[5] Again: "There is neither Greek nor Jew, circumcision nor uncircumcision, Barbarian, Scythian, bond nor free: but Christ is all, and in all,"[6] in which he signifies that it is of no importance what our condition is among men or under the laws of what nation we live, since the kingdom of Christ does not consist of these things.

2. Yet this distinction should not lead us to consider the whole system of civil government as a polluted thing which has nothing to do with Christian people. Some fanatics who are pleased with nothing but liberty, or rather

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[1] *magistrate* Political leader.

[2] *a Jewish folly ... this world* A central tenet of Judaism is an unqualified faith in one god (rather than a trinity or any other dual, tripartite, or multi-partite form); if Jesus is noted at all in Jewish thought, it is as a historical figure, not a divine one. Moreover, Judaism teaches that one should focus on leading a sacred life in this world, rather than hoping for salvation in a future, spiritual existence.

[3] *stand fast ... bondage* Galatians 5.1.

[4] *enjoins ... condition* 1 Corinthians 7.21.

[5] *There is neither Jew ... female* Galatians 3.28.

[6] *There is neither Greek ... in all* Colossians 3.11.

licentiousness[1] without any restraint, do indeed boast and argue too loudly that since we are dead with Christ to the elements of this world, we sit among the inhabitants of heaven, and it is far beneath our dignity to be occupied with those secular and impure cares which relate to things altogether uninteresting to a Christian. Of what use, they ask, are laws without judgments and tribunals? But what have judgments to do with a Christian man? And if it be unlawful to kill, of what use are laws and judgments to us? But as we have just suggested that this kind of government is distinct from that spiritual and internal reign of Christ, so it ought to be known that the two sorts of reign are in no respect at variance with each other. For the spiritual reign, even now upon earth, gives us a preliminary introduction to the heavenly kingdom, and in this mortal and transitory life affords us some foretaste of immortal and incorruptible blessedness. But the civil government is designed, so long as we live in this world, to cherish and support the external worship of God, to preserve the pure doctrine of religion, to defend the constitution of the Church, to regulate our lives in a manner requisite for the society of men, to form our manners to civil justice, to promote our concord with each other, and to establish general peace and tranquility—all of which I confess to be unnecessary if the kingdom of God, as it now exists, extinguishes the present life. But if it is the will of God that while we are aspiring toward our true country, we be pilgrims on the earth, and if such aids are necessary to our pilgrimage, those who try to deny such things to man deprive him of his human nature. They plead that there should be so much perfection in the Church of God that the order it imposes should be enough to take the place of all laws; but they foolishly imagine a perfection which can never be found in any community of men. The insolence of the wicked is so great, and their evil so persistent, that it can scarcely be restrained by all the severity of the laws; what can we expect they would do if they found themselves at liberty to perpetuate crimes with impunity, crimes whose outrages even the arm of government and its laws cannot altogether prevent?

3. But for speaking of the exercise of civil government, there will be another place more suitable. At present we only wish it to be understood that to entertain any thought of eliminating civil government is inhuman barbarism; such government is just as necessary as bread and water, light and air, and far more excellent than those things. For one thing, civil government tends to secure the benefits arising from all these things, so that men may breathe, eat, drink, and be sustained in life. Civil government takes into account all these things as it enables people to live together. Yet I say this is not its only tendency; it also tries to ensure that idolatry, sacrilege against the name of God, blasphemy against His truth, and other offenses against religion do not openly appear among the people and are not disseminated. It does this so that the public peace may not be disturbed; so that every person may enjoy his property without molestation; so that men may transact their business together without fraud or injustice; and so that integrity and modesty may be cultivated among the people—in short, that there may be a public form of religion among Christians, and that humanity may be maintained among the people. Nor let anyone think it strange that I now assign to human government the responsibility of supporting religion, which I may appear to have placed beyond the jurisdiction of men. I do not allow men to make laws respecting religion and the worship of God now any more than I did before; what I approve of is a civil government that prevents the true religion contained in the law of God from being violated and polluted with impunity by public blasphemies. Setting things out in ordered categories should provide a clearer sense of how we should comprehend the whole system of civil administration. There are three branches of the system: the magistrate, who is the guardian and conservator of the laws; the laws themselves according to which he governs; and the people, who are governed by the laws and obey the magistrate. Let us, therefore, examine, first, the function of a magistrate, asking if it is a legitimate calling approved by God, and inquiring into the nature of the duties of the magistrate, and the extent of his power. Secondly, let us ask by what laws Christian government ought to be regulated. Lastly, let us ask what advantage the people derive from the laws, and what obedience they owe to the magistrate.

[...]

9. Here it is necessary to state in a brief manner the nature of the office of the magistrate, as described in the word of God, and what it consists of. If the Scripture did not teach that the lessons of Scripture apply to civil as well as to religious functions of the magistrate, we might learn of the connection from heathen writers; for not one of them has treated of the office of magistrates, of legislation, and civil government, without beginning with religion and divine worship. They have all admitted that no government can be properly constituted unless its first object be the promotion

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[1] *licentiousness* Pursuit of desires unrestricted by moral concerns.

of piety, and that laws are preposterous if they neglect the claims of God and merely provide for the interests of men. Particularly given that religion holds pride of place among all the philosophers and that this has always been accepted with universal consent by all nations. Christian princes and magistrates ought to be ashamed of their indolence if they do not make it the object of their most serious care. We have already shown that this duty is particularly commanded of them by God; for it is reasonable that they should employ their utmost efforts in asserting and defending the honor of Him whose viceregents[1] they are, and by whose favor they govern. The principal commendations given in the Scripture to the good kings are for having restored the worship of God when it had been corrupted or abolished, or for having devoted their attention to religion, in order that it might flourish in purity and safety under their reigns. In the other direction, the Bible represents it as one of the evils arising from anarchy, or a want of good government, that when "there was no king in Israel, every man did that which was right in his own eyes."[2] These things show the folly of those who would wish magistrates to neglect all thoughts of God, and to confine themselves entirely to the administration of justice among men, as though God appointed governors in his name to decide secular controversies, and disregarded that which is of far greater importance—the pure worship of Himself according to the rule of law. But a rage for universal innovation, and a desire to escape punishment for wrongdoing leads men of turbulent spirits to wish that all the avengers of violated piety were taken out of circulation. With respect to the civil functions of the magistrate, Jeremiah admonishes kings in the following manner: "Exercise good judgment and be righteous, and deliver the oppressed out of the hand of the oppressor; and do no wrong, do no violence to the stranger, the fatherless, nor the widow, neither shed innocent blood."[3] To the same purpose is the exhortation in the eighty-second psalm: "Defend the poor and fatherless: do justice to the afflicted and needy: deliver the poor and needy from their hardships: take them out of the hand of the wicked."[4] Similarly, Moses "instructed the judges" whom he appointed to supply his place, saying—

> Hear the causes between your brethren, and judge righteously between every man and his brother, and the stranger that is with him: you shall not differentiate among persons in judgment; but you shall hear the small as well as the great; you shall not be afraid of the face of man; for the judgment is God's.[5]

I hardly need to comment on the directions given by him in another place respecting the role of a future king: "He shall not multiply horses to himself; neither shall he greatly multiply to himself silver and gold; his heart shall not be lifted up above his brethren; he shall read in the law all the days of his life";[6] he said also that judges must show no partiality nor take bribes, and similar injunctions abound in the Scriptures. But I will say no more of such things here because, in describing the office of magistrate in this treatise, my intention is not so much to instruct magistrates themselves, as to show to others what magistrates are and for what purpose God has appointed them. We see that they are made the protectors and upholders of the public innocence, modesty, probity, and tranquility, whose sole object it ought to be to promote the peace and security of all. David declares that he will be an example of these virtues when he is raised to the royal throne.

> I will set no wicked thing before mine eyes. I will not know a wicked person. I will have nothing to do with anyone who knowingly slanders his neighbor, and the same with anyone who has a high look and a proud heart. My eyes shall be upon the faithful of the land, that they may dwell with me: he that walks in a perfect way, he shall serve me.[7]

Magistrates cannot act rightly unless they defend good men from the injuries of the wicked and aid the oppressed, giving them relief and protection. They must also exercise power for the suppression of crimes, and mete out severe punishment to malefactors whose wickedness disturbs the public peace; Experience fully verifies the observation of Solon:[8] "All states are supported by reward and punishment; and when these two things are removed, all the discipline of human societies is broken and destroyed." For the minds of many lose their regard for equity and justice unless virtue is rewarded and honored; nor can the violence of the wicked be restrained unless crimes are followed by severe punishments. These two related ideas are included in the injunction of the prophet to kings and other governors to "execute judgment and righteousness."[1] "Righteousness" means the care, patronage, defense, vindication, and liberation of the innocent; "judgment" entails repressing those who are wickedly bold and violent, and punishing the crimes of the impious.

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[1] *viceregents* Administrative deputies of a ruler.

[2] *there was no king … eyes* Judges 21.25.

[3] *Exercise good judgment … blood* Jeremiah 22.3.

[4] *Defend the poor … wicked* Psalm 82.3–4.

[5] *Hear the causes … judgment is God's* Deuteronomy 1.16–17.

[6] *He shall not … life* Deuteronomy 17.16–17.

[7] *I will set … serve me* Psalm 101.3–6.

[8] *Solon* Athenian lawmaker (c. 638 BCE–558 BCE).

[...]

22. The first duty of subjects toward their magistrates is to be respectful of their function, which they know to be a jurisdiction delegated to magistrates from God, and on that account to esteem and reverence magistrates as God's ministers and vicegerents. Some persons show themselves very obedient to their magistrates and have no longing for a world without magistrates, acknowledging that they are necessary to the public good; but nevertheless consider the magistrates themselves as no more than necessary evils. Something more than this is required of us by Peter when he commands us to "honor the king";[2] and by Solomon, when he says, "Fear thou the Lord and the king";[3] for Peter, under the term "honor," comprehends a sincere and candid esteem; and Solomon, by connecting the king with the Lord, attributes to him a kind of sacred and dignified status deserving of veneration. Paul also commends magistrates when he says that we "must needs be subject, not only in order to escape a ruler's wrath, but also for conscience's sake";[4] by which he means that subjects ought to be induced to submit to princes and governors, not merely from a dread of their power, as persons are accustomed to yield to an armed enemy, who they know will immediately take vengeance upon them if they resist; but because obedience which is rendered to prince and magistrates is rendered to God, from whom they have received their authority. I do not suggest that the mask of dignity ought to palliate or excuse folly, ignorance, cruelty, or nefarious behavior and so acquire for vices the praise due to virtues; but I affirm that the office of magistrate is in itself worthy of honor and reverence; whoever our governors are, they ought to be given our esteem and veneration on account of the office which they fill.

23. Hence follow other duties. With minds disposed to honor and reverence magistrates, subjects express their obedience to them in submitting to their edicts, in paying taxes, in discharging public duties, in bearing burdens which relate to the common defense, and in fulfilling all their other commands. Paul says to the Romans, "Let every soul be subject to the higher powers. Whosoever resisteth the power, resisteth the ordinance of God."[5] He writes to Titus, "Put them in mind to be subject to principalities and powers, to obey magistrates, to be ready to every good work."[6] Peter exhorts, "Submit yourselves to every ordinance of man for the Lord's sake; whether it be to the king, as supreme; or unto governors, as unto them that are sent by him for punishing evildoers, and for praising those that do well."[7] Moreover, in order that subjects may testify that theirs is not a hypocritical but a sincere and cordial submission, Paul teaches that they ought to pray to God for the safety and prosperity of those under whose government they live. "I exhort," he says, "that supplications, prayers, intercessions, and giving of thanks be made for all men; for kings, and for all who are in positions of authority; so that we may lead a quiet and peaceable life in all godliness and honesty."[8]

Here let no man deceive himself. It is impossible to resist the magistrate without at the same time resisting God himself. Though it may seem that one could resist an unarmed magistrate with impunity, yet in such circumstances God is armed to inflict vengeance for the contempt shown to Himself.

Under this category of obedience I also include the moderation which private persons ought to display in relation to public affairs; unless they are called upon to do so, they should not meddle with affairs of state, rashly intrude themselves into the office of magistrates, or undertake anything of a public nature. If there be anything in the public administration which requires to be corrected, let private persons not raise any outburst or take the business into their own hands. Instead, let them refer such matters to the magistrate, who is alone authorized to regulate the concerns of the public. I mean that they ought to attempt nothing without being commanded; for when they have the command of a governor, then they also are invested with public authority. For, as we are accustomed to call the counselors of a prince "his eyes and ears," so it may be appropriate to refer to those he has commissioned to execute his commands as "his hands."

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[1] *execute judgment and righteousness* Jeremiah 22.3.

[2] *honor the king* 1 Peter 2.17.

[3] *Fear thou ... king* Proverbs 24.31.

[4] *we must needs be subject ... conscience's sake* Romans 13.5.

[5] *Let every soul ... God* Romans 13.1–2.

[6] *Put them in mind ... good work* Titus 3.1.

[7] *Submit yourselves ... do well* 1 Peter 2.13–14.

[8] *that supplications ... honesty* 1 Timothy 2.1–2.

24. We have hitherto described a magistrate who truly answers to his title as one who acts as the father of his country and, as the poet calls him, the pastor of his people, the guardian of peace, the protector of justice, the avenger of innocence; anyone who disapproved of such a government would justly be deemed insane. But it has happened, in almost all ages, that some princes, regardless of everything to which they ought to have directed their attention, give themselves up to their pleasures and pay no heed to any other concern. Some become absorbed in their own interest and allow a price to be put on all laws, privileges, rights, and judgments; others plunder the public purse and afterwards spend the money lavishly in mad prodigality; others commit flagrant outrages, pillaging houses, violating virgins and matrons, and murdering infants. Many persons cannot be persuaded that such "leaders" ought to be acknowledged as princes or magistrates—as leaders whom, as far as possible, they ought to obey. In the case of such outrageous acts—acts incompatible, not only with the office of a magistrate, but with the duty of every man—they discover no appearance of the image of God, which ought to be readily apparent in a magistrate; they perceive no vestige of that minister of God who is "a terror not to good works, but to evil," who is sent "for the punishment of evildoers, and for the praise of them that do well"; they do not recognize in such a governor someone whose dignity and authority the Scripture recommends to us. And certainly human minds have always been naturally disposed to hate and execrate tyrants as much as to love and reverence legitimate kings.

25. But, if we truly pay attention to the word of God, it will lead us to submit to the government, not only of those princes who discharge their duty to us with appropriate integrity and fidelity, but also to the government of those who possess the sovereignty, even though they perform none of the duties of their function. For, though the Lord testifies that the magistrate is an eminently appropriate one to act generously on His behalf to preserve the safety of men, and sets out to magistrates themselves the extent of their duty, yet He at the same time declares that whatever be their characters, they derive their authority to govern only from him. Those who govern for the public good are true specimens and mirrors of his beneficence; and those who rule in an unjust and tyrannical manner are raised up by him to punish the iniquity of the people; both sorts equally possess that sacred majesty with which he has invested legitimate authority. I will not proceed any further till I have added a few testimonies in proof of this point. It is not difficult to demonstrate that an impious king represents a judgment of God's wrath upon the world, as I have no expectation that anyone will deny it; and in this we say no more of a king than of any other robber who plunders our property, or adulterer who violates our bed, or assassin who attempts to murder us; since the Scripture enumerates all these calamities among the curses inflicted by God. Let us rather insist on the proof of that which the minds of men do not so easily admit—that a man of the worst character, most undeserving of any honor, who holds the sovereign power, really possesses that eminent and divine authority which the Lord has given by his word to the ministers of his justice and judgment; and therefore ought to be regarded by his subjects, as far as pertains to public obedience, with the same reverence and esteem which they would show to the best of kings, if such a one were granted to them.

[...]

31. But whatever opinion be formed of the acts of men, the Lord equally executed his work by them when he broke the bloody scepters[1] of insolent kings and overturned tyrannical governments. Let princes hear and fear. But, in the meanwhile, it is proper for us to use the greatest caution, that we do not despise or violate that authority of magistrates which is entitled to the greatest veneration, which God has established by the most solemn commands, even if it may reside in those who are most unworthy of it, and who pollute it by their iniquity. The correction of tyrannical domination should be a matter for the vengeance of God; we are not, therefore, to conclude that we have a duty to take such vengeance when we have received no other command than to obey and suffer. This observation I always apply to private persons. But if there be, in the present day, any magistrates appointed to protect the people and to moderate the power of kings, such as were, in ancient times, the Ephori,[2] who were a check upon the kings among the Lacedaemonians,[3] or the popular tribunes upon the consuls among the Romans, or the Demarchi[4] upon the senate among the Athenians; or with power such as perhaps is

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[1] *scepters* Staves held by a monarch, symbol of ruling power.

[2] *Ephori* Five elected magistrates whose function it was to check the power of kings.

[3] *Lacedaemonians* Spartans.

[4] *Demarchi* Heads of the local government in ancient Greece. It is not clear that Calvin's understanding of their function was entirely correct.

now possessed by the three estates[1] in every kingdom when they are assembled; I am so far from prohibiting them, in the discharge of their duty, from opposing the violence or cruelty of kings that I affirm that if they shut their eyes to the faults of kings who are oppressing their people, such forbearance involves the most nefarious perfidy[2] because they fraudulently betray the liberty of the people, of which they know that they have been appointed protectors by the ordination of God.

[...]

32. But in the obedience which we have shown to be due to the authority of governors, it is always necessary to make one exception, and that is entitled to our first attention—we must never be led away from obedience to Him to whose will the desires of all kings ought to be subject, to whose decrees all their commands ought to yield, to whose majesty all their scepters ought to submit. And, indeed, how preposterous it would be for us, with a view to satisfy men, to incur the displeasure of Him on whose account we yield obedience to men! The Lord, therefore, is the King of kings; who, when he has opened his sacred mouth, is to be heard alone, above all, for all, and before all. In the next place, we are subject to those men who preside over us, but no otherwise than in Him. If they command anything against Him, it ought not to cause us to pay the least attention, nor, in this case, ought we to pay any regard to all that dignity attached to magistrates, to which no injury is done when it is subjected to the unrivaled and supreme power of God. On this principle Daniel denied that he had committed any crime against the king in disobeying his impious decree;[3] because the king had exceeded the limits of his office, and had not only done an injury to men, but, by raising his arm against God, had degraded his own authority. On the other hand, the Israelites are condemned for having been too submissive to the impious edict of their king. For when Jeroboam had made his golden calves, in compliance with his will, they deserted the temple of God and turned to new superstitions. Their descendants followed to the decrees of their idolatrous kings with the same ease. The prophet severely condemns them for having "willingly walked after the commandment."[4] Courtly flatterers who excuse themselves and deceive the unwary under the pretext of humility are due no praise; they deny that it is lawful for them to refuse compliance with any command of their kings, as if God had resigned authority over certain mortal men when he made them rulers of mankind, or as if earthly power were diminished by being subordinated to its Creator before whom even the principalities of heaven[5] tremble with awe. I know what great and present danger awaits those who hold constantly to the principle of obedience first and foremost to God, for kings cannot bear to be disregarded without the greatest indignation; and "the wrath of a king," says Solomon, "is as a messenger of death."[6] But since this edict has been proclaimed by that celestial herald, Peter, "We ought to obey God rather than men,"[7]—let us console ourselves with this thought, that we truly perform the obedience which God requires of us when we suffer anything rather than deviate from piety. And so that our hearts may not fail us, Paul stimulates us with another consideration—that Christ has redeemed us at the immense price which our redemption cost him, that we may not be submissive to the corrupt desires of men, much less be slaves to their impiety.[8]

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[1] *three estates* In several areas of sixteenth-century Europe, meetings of legislative or advisory bodies to the monarch representing the three estates, with the first being the clergy, the second the nobility, and the third the commoners.

[2] *perfidy* Deliberate treachery.

[3] *Daniel denied ... decree* Daniel 6.22.

[4] *willingly walked ... commandment* Hosiah 5.11.

[5] *principalities of heaven* One of the ranks of angels.

[6] *wrath of a king ... death* Proverbs 16.14.

[7] *We ought to obey ... men* Acts 5.29.

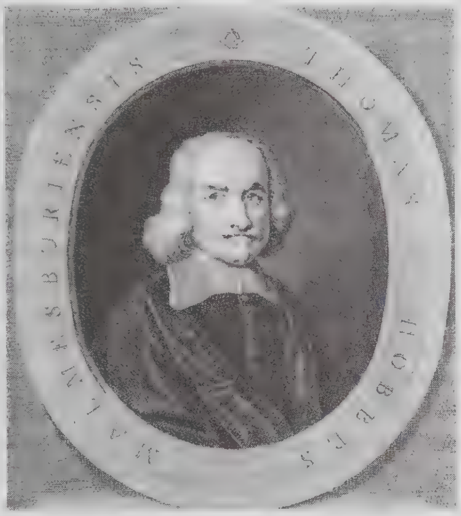
[8] *Paul stimulates ... impiety* 1 Corinthians 7.23.

THOMAS HOBBES

(1588 – 1679)

Who Was Thomas Hobbes?

THOMAS HOBBES WAS BORN, PREMATURELY, IN 1588[1] IN the village of Westport near the small town of Malmesbury, in the southern English county of Wiltshire. Though several relatives had grown wealthy in the family's cloth-making business, Hobbes' father was a poor, ill-educated country clergyman, who frequently ran into trouble with the church authorities for disobedience and volatility. Young Thomas was apparently a studious, unhealthy, rather melancholy boy, who loved music. Because of his black hair he was nicknamed "Crow" by his schoolfellows. Though he grew to be intellectually fearless, he was personally always a rather timid person (and apparently, despite his materialism, had a life-long horror of ghosts).



When Hobbes was 16 his father's long-running feud with a nearby vicar, whom he had publicly slandered as "a knave and an arrant knave and a drunken knave," came to a head when (probably drunk) he encountered his enemy in the churchyard at Malmesbury and set about him with his fists. Any act of violence in a church or churchyard was an excommunicable offence at that time, and laying hands on a clergyman was an even more serious crime, subject to corporal punishment and imprisonment: Hobbes' father was forced to flee. It is not known whether Thomas ever again saw his father, who died "in obscurity beyond London."

By the time of his father's disappearance, however, young Hobbes had already been plucked out of his family situation and sent off to be educated at the university at Oxford (an education paid for by his uncle Francis, a prosperous glover). There, Hobbes attended Magdalen Hall, one of the poorer foundations at Oxford and one which was renowned for its religious Puritanism.[2] He does not seem to have been altogether impressed by the quality of the education he received: later in life he was dismissive of the Aristotelian logic and metaphysics that he was taught there, and claimed that at the time he was more interested in reading about explorations of newly discovered lands, and poring over maps of the world and the stars, than in studying traditional philosophy.

As soon as Hobbes completed his BA in 1608, he was lucky enough to be offered a job as tutor to the eldest son of William Cavendish, a rich and powerful Derbyshire landowner who owned the great stately home at Chatsworth (and who became the first Earl of Devonshire in 1618). Cavendish's son, also called William, was only a few years younger than Hobbes himself, and Hobbes' position quickly became that of a servant, secretary and friend, as well as tutor. In 1614 Hobbes and Cavendish went on a tour of France and Italy, where they both learned Italian and encountered some of the currents of Italian intellectual thought at the time, including the fiercely anti-Papal writings of several Venetian authors.

William Cavendish succeeded his father as the Earl of Devonshire in 1626, but died of disease just two years later.

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[1] This was the year that the Catholic monarch of Spain, Philip II, dispatched a massive fleet of ships—the Armada—to invade Protestant England. Hobbes later wrote in an autobiographical poem, that "hereupon it was my mother dear / Did bring forth twins at once, both me and fear," and used to joke that this explained his timid nature. (In the event, the Armada was decisively defeated in the English Channel before it could rendezvous with the Spanish invasion force waiting in Flanders.)

[2] The Puritans were a group of English Protestants who regarded the Protestant Reformation under Elizabeth I (1558–1603) as incomplete: influenced by Protestant movements from continental Europe, such as Calvinism, they advocated strict religious discipline and simplification of the ceremonies and creeds of the Church of England.

Hobbes, now forty years old, signed on as tutor to the son of another rich landowner, Sir Gervase Clifton. During this period he accompanied his charge on another trip to the continent (France and Switzerland), and it was in Geneva that he picked up a copy of Euclid's *Elements* and fell in love with its method of deductive reasoning. A contemporary biographer wrote of the incident:

> Being in a gentleman's library, Euclid's *Elements* lay open, and 'twas the 47th Prop. of Book I. He read the proposition. "By G—," said he (he would now and then swear, by way of emphasis), "this is impossible!" So he read the demonstration of it, which referred him back to such a proposition; which proposition he read. That referred him back to another, which he also read. And so on, until at last he was demonstratively convinced of that truth. This made him in love with geometry.

After his return to England, Hobbes agreed to re-enter the service of the widowed countess of Devonshire as tutor to her thirteen-year-old son, the third earl. The 1630s were important years for Hobbes' intellectual development. His secure, and relatively undemanding, position allowed him time to develop both the main outlines of his political philosophy and also to pursue his interest in science (and especially optics). His connection to a great noble house also gave him contacts with other intellectuals clustered around noble patrons, such as the mathematicians and scientists supported by the earl of Newcastle, and the theologians, lawyers, and poets associated with the Viscount Falkland.

In 1634 Hobbes embarked on another European tour with his pupil, and spent more than a year living in Paris where he met French scientists and mathematicians—and especially the influential and well-connected Marin Mersenne—and became finally and fully gripped by the intellectual excitement of the age. "The extreme pleasure I take in study overcomes in me all other appetites," he wrote in a letter at the time. By 1636, when Hobbes had returned to England, he was devoting as much of his energies as possible to philosophical and scientific work: the third earl turned eighteen in 1637, so—although Hobbes remained in his service—he was no longer needed as a tutor and his time was largely his own.

His earliest surviving work is a treatise on the science of optics, in part of which Hobbes attacks Descartes' *Discourse on Method* (published in 1637). Hobbes accused Descartes of inconsistency, of not taking seriously enough his own mechanistic physics. Since perception is caused entirely by physical motions or pressures, then the mind—that which does the perceiving—must also be a physical object, capable of being affected by motion, Hobbes argued.[1] Hobbes, therefore, in his very earliest philosophical writing rejected the dualism of matter and spirit in favor of a purely mechanical view of the world.

Hobbes' philosophical work was pushed in a different direction at the end of the 1630s as political events unfolded in England. As the country moved towards civil war during the final years of the so-called personal rule of King Charles I,[2] there was an intense public debate about the power of the sovereign. Should it be absolute? Should there be any limits at all on the power of the king? It was recognized that the monarch could exceed his normal powers during exceptional circumstances—but the king himself claimed to be the judge of which circumstances were exceptional, and this essentially allowed him to exceed his "normal" powers at any time he chose.

In 1640, after the Scots invaded and occupied northern England, the King recalled Parliament with the intent of having it grant him extra taxes to raise an army. They refused to do so, and what became known as the "Short Parliament" was abruptly dissolved. In the same year Hobbes wrote and circulated an unabashedly pro-royalist work called *The Elements of Law*, which attempted to justify the nature and extent of sovereign power from philosophical first principles. By the end of that year, facing a backlash from anti-royalist parliamentarians as tensions grew, Hobbes called in all his investments and left England for Paris.

Back in Paris, Hobbes was quickly reabsorbed into the intellectual life of the great city, and his reputation was established by the 1642 publication of *De Cive*, a remodeled version of the arguments of *The Elements of Law*. After this, Hobbes returned to the study of scientific philosophy and theology, and he spent several years working on a substantial book on logic, metaphysics, and physics, which was eventually published in 1655 as *De Corpore*. However

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[1] "Since vision is formally and really nothing but motion, it follows that that which sees is also formally and strictly speaking nothing other than that which is moved; for nothing other than a body ... can be moved" (*Tractatus opticus*, p. 207. This translation is by Noel Malcolm).

[2] In 1629, after a series of clashes with Parliament, Charles dissolved the legislative body permanently and began an eleven-year period as absolute ruler.

Newtonian

his work was frequently interrupted: once by a serious illness from which he nearly died (in 1647), and repeatedly by visitors from England, including royalist exiles from the English Civil War (which had erupted in 1642 and dragged on until 1648). In 1646 Hobbes was even made mathematical tutor to the young Prince Charles, now in exile in Paris. This turned Hobbes' thoughts back to politics, and—secretively and rapidly—Hobbes completed the major work *Leviathan* between the autumn of 1649 and the spring of 1651.

By this time Hobbes was keen to return to England: the war had been won by the Parliamentarians (Charles I was beheaded in 1649, the monarchy and House of Lords abolished, and a Commonwealth, led by Oliver Cromwell, set up) and *Leviathan*—which Hobbes took care to ensure was published in London—was partly intended to ease his passage back home. Hobbes did not abandon, or even substantially modify, the central arguments of his earlier, royalist writings, but in *Leviathan* he emphasizes that his project is to justify *political authority* generally (and not necessarily just that of a monarch), and he discusses extensively the question—which at that time was of vital interest to the former aristocratic supporters of the old king—of when it is legitimate to shift one's allegiance from one ruler to another. Hobbes later said that he had written *Leviathan* on behalf of "those many and faithful servants and subjects of His Majesty," who had fought on the royalist side and lost, and who now were in the position of negotiating with the new Parliamentary rulers for their old lands and titles. "They that had done their utmost endeavor to perform their obligation to the King, had done all that they could be obliged unto; and were consequently at liberty to seek the safety of their lives and livelihood wheresover, and without treachery."

Hobbes probably did not expect his work to cause offence among the court-in-exile of the young Charles II in Paris;[1] he presented a hand-written copy to the king in 1651. But because he denied that kings ruled by a divine right handed down directly from God, Hobbes was perceived as having turned against the monarchy. Furthermore the attack on organized religion, and especially Catholicism, that *Leviathan* contained provoked fury among Charles' courtiers. Hobbes was banned from the court, and shortly afterwards the French clergy attempted to have him arrested; Hobbes quickly fled back to England.

There he settled back into the employ of the earl of Devonshire, and resumed a quiet bachelor life of light secretarial work and intellectual discussion. However, the notoriety of *Leviathan* slowly grew, and—because of its bitter attacks on religion and the universities—Hobbes made enemies of many influential interest groups. When the Royal Society was formed in 1660 Hobbes was pointedly *not* invited to become a member, partly because his fellow exponents of the new "mechanical philosophy" were highly wary of being associated with atheism and reacted by violently attacking Hobbes' supposedly "atheistic" version of the new worldview. Throughout the 1660s and 1670s Hobbes—a.k.a. the "Beast of Malmesbury"—and his works were denounced from pulpits all over England for what was said to be his godlessness and denial of objective moral values. After the Great Fire of London, which destroyed most of the city in 1666 and followed close on the heels of the Great Plague of the previous year, popular feeling against the heretics and atheists whom it was feared were bringing God's wrath down on England reached new heights. *Leviathan* was named in the House of Commons as a book that tended towards atheism, and Hobbes was terrified that he would be charged for heresy—which could, even then, have resulted in his being burned at the stake, though no one had been executed for heresy in England since 1612. King Charles II protected his old tutor, but exacted a price; Hobbes was for the rest of his life no longer allowed to print anything in England on subjects relating to human conduct.

In contrast with the general public vilification which Hobbes faced in his own country, in France and Holland his reputation was soaring and (after the death of the acclaimed scientist Pierre Gassendi in 1655) he was widely regarded by French scientists and men of letters as the greatest living philosopher.

Hobbes, though now well into old age (and suffering severely from Parkinson's disease), continued to write prolifically. His works included several public defenses of *Leviathan* (before the King's ban), several treatises on mathematics, a debate with Robert Boyle about the experimental evidence for vacuums, a short book on six problems in physics, a polemical church history in Latin verse, translations of Homer's *Iliad* and *Odyssey* into English verse, and a history of the English civil war entitled *Behemoth*. When Hobbes died, shortly after suffering a severe stroke in December 1679, he was 91 years old.

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[1] The monarchy was eventually restored, by a vote of Parliament, in 1660.

What Was Hobbes' Overall Philosophical Project?

Hobbes thought of himself as primarily a scientist. He was interested in what we would today think of as science (optics, physics, geometry), but he was also concerned to place the study of human beings—especially psychology, ethics, and politics—on what he considered a *scientific* footing. Hobbes was deeply conscious that he was living during a period of intellectual revolution—a time when the old Aristotelian assumptions were being stripped away by the new mechanical and mathematical science which Hobbes enthusiastically endorsed—as well as during an era of political and religious revolution. He wanted to play a significant role in both these movements.

Since Hobbes considered himself a scientist, his view of what *constitutes* science is particularly significant for his thought. Hobbes' scheme of the sciences changes somewhat throughout his writings, but its most stable core looks something like this. The most fundamental science is what Hobbes (like Aristotle) called "first philosophy," and it consists in "universal definitions"—of *body*, *motion*, *time*, *place*, *cause*, and so on—and their logical consequences. Thus the most basic kind of science, for Hobbes, is more purely rational than it is experimental. After first philosophy comes geometry, which (for Hobbes) was the science of the simple motions of bodies: that is, Hobbes rejected the view that geometry is the study of abstract objects and their relations, insisting instead that it concerns itself with the movements of concrete objects in real space. The next step in the ladder of the sciences is mechanics, which investigates the more complex motions involving whole bodies working together; this is followed by physics, the study of the invisible motions of the parts of bodies (including the effects on the human senses of the motions of external bodies). Then comes moral philosophy, which Hobbes thought of as primarily the investigation of passion and volition, which he considered the internal effects of sensation on the human mind. Finally, civil philosophy—the science of politics—formulates the laws of conduct that will ensure peace and self-preservation for communities of creatures with our particular internal psychological constitution.

A central—and at the time infamous—plank of Hobbes' scientific worldview was his unrelenting *materialism*. According to the new "mechanical" philosophy which had caught Hobbes up in its sweep across the thinkers of Europe, all physical phenomena are ultimately to be explained in terms of the motions and interactions of large numbers of tiny, material bodies. Hobbes enthusiastically accepted this view, and was one of the earliest thinkers to extend it to phenomena which his peers generally did not think of as "physical." In particular, Hobbes declared that *mental* phenomena ought to be just as susceptible to mechanical explanation as anything else in nature. For Hobbes, then, the natural world did not contain both matter and spirit (minds): it was entirely made up of material bodies, and human beings are nothing more than very complex material objects, like sophisticated robots or automata.

Along similar lines, Hobbes was very skeptical of claims to religious knowledge; this was one among several reasons why he devoted so much energy to attacks on the authority of the church. According to Hobbes' theory of language, words have meaning only if they express thoughts, and thoughts are nothing more than the residue in our minds of sensations produced by the action of external objects upon our bodies. Since God is supposed to be an infinite, transcendent being that is beyond our powers to perceive, Hobbes—although it is not at all clear that he was actually an atheist—was led to assert that we can have no meaningful thoughts about God. Furthermore, according to Hobbes' materialism, the notion of an "incorporeal substance" is simply incoherent, and so if God exists at all he must exist as a *material* body (which Hobbes claimed, in fact, to believe).

Like René Descartes, Hobbes saw himself as developing the foundations for a completely new and radical philosophy that was to decisively change the way his contemporaries saw the world. Furthermore, Hobbes did not see moral and political philosophy as a purely intellectual exercise. He firmly believed that the great and tragic upheaval of the English Civil War was directly caused by the promulgation of false and dangerous moral ideas, and could have been avoided by proper appreciation of the moral truth.

In *Leviathan*, then, Hobbes' project was to place social and political philosophy on a *scientific* basis for the first time (a project he thought would be of immense service to humanity). His model for this was the study of geometry: he begins with a sequence of axiomatic definitions—such as "justice," "obligation," "right of nature," and "law of nature"—and then tries to show that his philosophical results are rationally derivable from these basic assumptions. His goal was to derive and prove universal political laws—rather mental phenomena susceptible to [illegible]

like the laws of physics—from which infallible judgments about particular cases can be made.[1]

What Is the Structure of the Reading?

Leviathan is divided into four parts: "Of Man," which deals primarily with human psychology and the state of nature; "Of Commonwealth," which discusses the formation of political states and the powers of their sovereigns; "Of a Christian Commonwealth," which examines the relationship between secular and religious law; and "Of the Kingdom of Darkness," which is a vitriolic attack on certain kinds of organized religion, especially Roman Catholicism. The excerpts given here come from Parts 1 and 2.

First, there is a sequence of chapters that make up much of the second half of Part 1, in which Hobbes describes the unhappy "state of nature" for human beings and argues that several (nineteen, to be precise) moral "laws of nature" or "theorems" arise as "convenient articles of peace upon which men may be drawn to agreement." Included in this discussion, at the end of Chapter 14, is an examination of the way in which natural rights can be transferred or renounced (through contracts, covenants or free gift); there is also (near the beginning of Chapter 15) a lengthy discussion of the nature of justice, "*that men perform their covenants made.*"

Next are included the first five chapters of "Of Commonwealth," in which Hobbes discusses the way in which political states arise and argues that the sovereigns of those states are entitled to almost absolute power over their subjects. Finally, there are selections on civil laws, things that weaken a commonwealth, and the appropriate role of the sovereign.

Some Useful Background Information

i) The fundamental political problem for Hobbes, and the issue which *Leviathan* primarily sets out to address, was the following: How can any political system unambiguously and indisputably determine the answer to the question *What is the law?* How can one determine universally, uncontroversially acceptable rules of conduct, by which the citizens of a state must lead their public lives? A precondition for achieving this, Hobbes thought, was for there to be only a *single* source of law, and for that source to be *absolute* in the sense that whatever that legislator declared as law *was* law. Any other kind of political system, Hobbes believed, would descend inevitably into factionalism, insecurity, and civil war.

ii) Hobbes was quite self-conscious in rejecting the Aristotelian view of *human nature* that had been passed down to his day. For Aristotle, a human being is a naturally social animal, whose natural situation is as an active member of a political community, and whose highest good is the sort of happiness, or flourishing, for which our biological species is best suited. Furthermore, according to Aristotle, there is a natural hierarchy among human beings, with some people being inherently more noble than others. These inequalities are not *created* by society, on the Aristotelian picture, but ideally should be *mirrored* in the social order.

For Hobbes, by contrast, human beings are *not* naturally social animals, and furthermore there is no single conception of happiness which is tied to the human "essence": instead, according to Hobbes, human happiness is a matter of the continual satisfaction of desires or appetites, and since individual human beings differ in their particular desires so too will what makes people happy. Because people's desires often come into conflict—especially when several people are competing for the same scarce resource, such as land, money, or honor—human beings are naturally *anti*-social. Furthermore, even when civil society has been established, according to Hobbes, most of its citizens will not and should not be active participants in political life, but will simply lead private lives, out of the public sphere, within the constraints of their obedience to the commands of the sovereign. Finally, it was Hobbes' view that human beings in the state of nature are in a state of radical equality, where no one is substantially any better (or worse) than anyone else; similarly, in civil society, although there will be gradations of honor among men, everyone is fundamentally equal under the sovereign.

iii) Like Aristotle, however, Hobbes sees justice, and morality generally, as applying to character traits—what Hobbes calls "manners"—rather than primarily to states of affairs or types of action. For Hobbes, moral virtues are those habits which it is rational for all other people to praise; that is, they are those dispositions which contribute to the preservation, not merely of the individual, but of *everyone* in the community by contributing to peace and stable society.

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[1] On the other hand it is important to note that, unlike physics, politics is a *normative* science: it does not simply describe what people do, but in some sense prescribes what they *ought* to do. In this respect, Hobbes' political science resembles modern economics more than mathematics or experimental science.

Complex + [illegible]

Some Common Misconceptions

i) When Hobbes talks about "the state of nature" he is referring *neither* to a particular historical period in human history (such as the age of hunter-gatherers) *nor* to a mere theoretical possibility (a time that never actually occurred). What Hobbes has in mind is any situation, at any time or place, where there is no effective government capable of imposing order on the local population. Thus primitive or prehistoric societies may (or may not) be in the state of nature; but so too may modern societies that are locked in civil war, destroyed by conflict with other countries, or simply experiencing a constitutional crisis. Likewise, the international community of nations (then, as now) is in a state of nature, lacking any over-arching world government capable of determining and enforcing international law. (Hence, as he points out in the text, when Hobbes describes the state of nature as being "a condition of war" he does not mean that it will necessarily involve constant fighting and bloodshed, but rather that no one can feel *secure* against the threat of force.)

ii) Hobbes is not the "immoralist" he is sometimes taken to be: far from arguing *against* the existence of universal moral principles, Hobbes is concerned to *combat* the kind of moral relativism which holds that all laws, including moral laws, are mere matters of arbitrary human convention. Hobbes adopts the assumption of the moral skeptic that the only fundamental, universal moral principle is self-interest, but he then argues that, from the skeptic's *own assumption*, certain "natural" laws of justice follow deductively. In this way, Hobbes tries to show that there can be laws without a lawgiver: moral principles based, not in divine or human command, but in human nature itself. (On the other hand, Hobbes does stress that we are bound by these laws only if we can be sure that others will obey them too—that is, on the whole, only once we have agreed to form a civil society. To that extent at least, the principles of justice remain, for Hobbes, a matter of *convention.*)

iii) A mainspring of Hobbes' political philosophy is the claim that human beings seek their own self-preservation. There is textual evidence that Hobbes saw this desire for self-preservation not merely as a non-rational desire, even one which all human beings naturally share, but as a *primary goal of reason.* That is, one of the dictates *of rationality*, for Hobbes, is that we should take all measures necessary for our self-preservation, and so the ethical laws which Hobbes generates out of this principle are not merely *hypothetical* commands ("Do this if you care more about your self-preservation than anything else") but are dictates that all rational creatures should recognize as binding on them.

iv) Though Hobbes is, legitimately, often said to be rather pessimistic about human nature, this can be overstated: his view, essentially, is not that *everyone* is fundamentally selfish, but that *enough* people are fundamentally selfish that it would be unwise to construct a civil society on the assumption that people are generally benevolent. According to Hobbes, children are born concerned only with themselves and, though they can learn to care for others, this can be brought about only with proper moral education. Unfortunately, he believed, not very many children are actually brought up in this way, and so most of the citizens of a commonwealth will in fact care primarily for themselves and their families and be not much moved by the interests of strangers.

v) Hobbes did not think that people *in fact* always act to preserve themselves: his claim is not that people always behave in a way which is optimal in avoiding hardship or death for themselves—on the contrary, Hobbes was convinced that people are often rash and vainglorious and prone to irrational quarrels—but that it is always *reasonable* or *rational* for people to seek self-preservation, and furthermore that this fact is so universally recognized by human beings that it is capable of serving as a solid basis for civil society. (Contrary to popular belief, then, Hobbes is not quite what is technically called a "psychological egoist": someone who believes that all people, as a matter of psychological necessity, always act only in their own self-interest.)

vi) Although Hobbes is frequently thought of as a *social contract theorist*, he actually does not see the foundation of the state as involving a contract or covenant between all the members of that society and the sovereign, but instead as a kind of *free gift* by the citizens to their sovereign. That is, people in the state of nature covenant together to freely turn over their right of nature to a sovereign power, in the hope that this sovereign will protect them and allow them to live in greater security. (Importantly, this means that the sovereign cannot *break a covenant* if he or she fails to protect her subjects ... though she does come to be bound by the law of nature prohibiting ingratitude, and so must "endeavor that he which giveth [a gift] have no reasonable cause to repent him of his good will.")

vii) Hobbes thought that his new political science could conclusively demonstrate that all states need a sovereign (an absolute dispenser of law). He did not, however, insist that this sovereign must be a *monarch*; he was quite ready to recognize that a republic, led by an assembly of senators for example, could be an equally effective form of government.

How Important and Influential Is This Work?

Hobbes' *Leviathan* is arguably the most important work of political philosophy in English—even though the work's *conclusions* have been widely rejected from Hobbes' day to this. The project of justifying and delimiting the extent of the state's power over its subjects, without appeal to such supernatural mechanisms as the divine right of kings, is an immensely important one, and Hobbes gave this question its first great answer in modern times. Though his political ideas differed from Hobbes in many important ways, John Locke, writing a couple of decades after Hobbes, nevertheless framed the issues in a similar way: how can human beings live together harmoniously under conditions where religious or traditional justifications of authority are no longer widely persuasive?

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from Leviathan (1651)[1]

[1] *The Introduction*

1. Nature (the art[2] whereby God has made and governs the world) is by the art of man, as in many other things, so in this also imitated, that it can make an artificial animal.[3] For seeing life is but a motion of limbs, the beginning whereof is in some principal part within, why may we not say that all *automata* (engines that move themselves by springs and wheels as does a watch) have an artificial life? For what is the *heart*, but a *spring*; and the *nerves*, but so many *strings*; and the *joints*, but so many *wheels*, giving motion to the whole body, such as was intended by the Artificer? *Art* goes yet further, imitating that rational and most excellent work of nature, *man*. For by art is created that great Leviathan called a Commonwealth, or State[4] (in Latin, *Civitas*), which is but an artificial man, though of greater stature and strength than the natural, for whose protection and defense it was intended; and in which the sovereignty is an artificial *soul*, as giving life and motion to the whole body. The *magistrates* and other *officers* of judicature and execution [are] artificial *joints*. *Reward* and *punishment* (by which fastened to the seat of the sovereignty, every joint and member is moved to perform his duty) are the *nerves* that do the same in the body natural. The *wealth* and *riches* of all the particular members are the *strength*. *Salus populi* (the *people's safety*) [is] its *business*. *Counselors*, by whom all things needful for it to know are suggested unto it, are the *memory*. *Equity* and laws [are] an artificial *reason* and *will*. *Concord* [is] *health*. *Sedition* [is] *sickness*. And *civil war* [is] *death*. Lastly, the *pacts* and *covenants*

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[1] *Leviathan* See Job 41, Psalms 74.15–17, and Isaiah 27.1. In the Bible, Leviathan, sometimes pictured as a whale and sometimes as a crocodile, is a principle of chaos and an enemy of God, whom God defeats. For Hobbes, Leviathan saves people from the state of nature. Elsewhere (28.27), Hobbes quotes the book of Job, which says at 41.34 that Leviathan is "king of all the children of pride." Christian theologians often identified pride as the cause of sin. The word came to mean any sea-monster or other huge creature, and Hobbes is probably using the word figuratively and irreverently, referring to the huge and powerful state.

[2] *art* Hobbes uses this word to refer to anything that involves planning and design. A contrast is often made between *art* and *nature*—what happens naturally, not artificially—but Hobbes here rejects that contrast.

[3] *an artificial animal* Hobbes is showing that normal beliefs do not pass scrutiny. Nature is actually artificial; machines are alive and humans are machines. Our beliefs must be reconsidered. Since Hobbes is the one to deconstruct these standard distinctions, he is in a good position to construct the correct view, or so he wants the reader to believe.

[4] *State* Comparing the state to a living body was common in the seventeenth century: "The head cares for the body, so does the King for his people. As the discourse and direction flows from the head, and the execution thereunto belongs to the rest of the members, everyone according to their office: so it is betwixt a wise King and his people" (James I, "The Trew Law of Free Monarchies," 1598); "As in natural things, the head being cut off, the rest cannot be called a body: no more can in politick things a multitude or commonality, without a head be incorporate" (*Examples for Kings: or Rules for Princes to Govern By*, 1642).

by which the parts of this body politic were at first made, set together, and united, resemble that *fiat*,[1] or the *let us make man*, pronounced by God in the Creation.

2. To describe the nature of this artificial
[2] man, I will consider

First,[2] the *matter* thereof, and the *artificer*; both which is *Man*.

Secondly,[3] *how*, and by what *covenants* it is made; what are the rights and just *power* or *authority* of a *sovereign*; and what it is that *preserves* and *dissolves* it.

Thirdly,[4] what is a *Christian Commonwealth*.

Lastly,[5] what is the *Kingdom of Darkness*.

3. Concerning the first, there is a saying much usurped[6] of late that *wisdom* is acquired, not by reading of *books*, but of men. Consequently whereunto, those persons, that for the most part can give no other proof of being wise, take great delight to show what they think they have read in men by uncharitable censures of one another behind their backs. But there is another saying, not of late understood, by which they might learn truly to read one another, if they would take the pains; and that is *nosce teipsum*, *read thyself*, which was not meant, as it is now used, to countenance either the barbarous state of men in power towards their inferiors or to encourage men of low degree to a saucy behavior towards their betters. But [it was meant] to teach us that for the similitude of the thoughts and passions of one man to the thoughts and passions of another, whosoever looks into himself and considers what he does when he does *think*, *opine*, *reason*, *hope*, *fear*, etc., and upon what grounds, he shall thereby read and know what are the thoughts and passions of all other men upon the like occasions. I say the similitude of *passions*, which are the same in all men, *desire*, *fear*, *hope*, etc., not the similitude of the *objects* of the passions, which are the things *desired*, *feared*, *hoped*, etc.; for these the constitution individual and particular education do so vary, and they are so easy to be kept from our knowledge that the characters of man's heart, blotted and confounded as they are with dissembling, lying, counterfeiting, and erroneous doctrines are legible only to him that searches hearts. And though by men's actions we do discover their design sometimes; yet to do it without comparing them with our own and distinguishing all circumstances by which the case may come to be altered is to decipher without a key and be for the most part deceived by too much trust or by too much diffidence,[7] as he that reads is himself a good or evil man.

4. But let one man read another by his actions never so perfectly, it serves him only with his acquaintance, which are but few. He that is to govern a whole nation must read in himself, not this or that particular man, but mankind, which though it be hard to do, harder than to learn any language or science; yet when I shall have set down my own reading orderly and perspicuously, the pains left another will be only to consider if he also find not the same in himself. For this kind of doctrine admits no other demonstration.

Part 1: Of Man

[…]

Chapter 10: Of Power, Worth, Dignity, Honor, and Worthiness [41]

1. The power of a man (to take it universally[8]) is his present means to obtain some future apparent good and is either *original* or *instrumental*.

2. *Natural*[9] *power* is the eminence of the faculties of body or mind, as extraordinary strength, form,[10] prudence, arts, eloquence, liberality, nobility. *Instrumental* are those powers which, acquired

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[1] *fiat* Latin: Let there be. *Fiat lux* means "Let there be light." *Fiat homo* means "Let there be man." These are some of God's words of creation in the Vulgate (or Latin) version of the Bible.

[2] *First* Part 1, Chapters 1–16.

[3] *Secondly* Part 2, Chapters 17–31.

[4] *Thirdly* Part 3, Chapters 32–43.

[5] *Lastly* Part 4, Chapters 44–47.

[6] *usurped* Employed.

[7] *diffidence* Distrust.

[8] *universally* In the most general sense.

[9] *Natural* Original.

[10] *form* Good looks.

by these or by fortune are means and instruments to acquire more, as riches, reputation, friends, and the secret working of God, which men call good luck. For the nature of power is in this point like to fame, increasing as it proceeds, or like the motion of heavy bodies, which, the further they go, make still the more haste.

3. The greatest of human powers is that which is compounded of the powers of most men, united by consent, in one person, natural or civil, that has the use of all their powers depending on his will, such as is the power of a commonwealth; or depending on the wills of each particular, such as is the power of a faction or of divers factions leagued. Therefore to have servants is power; to have friends is power; for they are strengths united.

4. Also, riches joined with liberality[1] is power, because it procures friends and servants; without liberality, not so, because in this case they defend not, but expose men to envy, as a prey.

5. Reputation of power is power, because it draws with it the adherence of those that need protection.

6. So is reputation of love of a man's country called popularity, for the same reason.

7. Also, what quality soever makes a man beloved or feared of[2] many or the reputation of such quality is power, because it is a means to have the assistance and service of many.

8. Good success is power, because it makes reputation of wisdom or good fortune, which makes men either fear him or rely on him.

9. Affability of men already in power is increase of power, because it gains love.

10. Reputation of[3] prudence in the conduct of peace or war is power, because to prudent men we commit the government of ourselves more willingly than to others.

11. Nobility[4] is power, not in all places, but only in those commonwealths where it has privileges; for in such privileges consists their power.

12. Eloquence is power, because it is seeming[5] prudence.

13. Form is power, because being a promise of [42] good, it recommends men to the favor of women and strangers.

14. The sciences are small powers, because not eminent, and therefore not acknowledged in any man; nor are at all, but in a few, and in them, but of a few things. For science is of that nature, as none can understand it to be, but such as in a good measure have attained it.[6]

15. Arts of public use, as fortification, making of engines, and other instruments of war, because they confer to defense and victory, are power; and though the true mother of them be science, namely, the mathematics, yet, because they are brought into the light by the hand of the artificer, they be esteemed (the midwife passing with the vulgar for the mother) as his issue.

Worth.

16. The *value* or Worth of a man is, as of all other things, his price, that is to say, so much as would be given for the use of his power and therefore is not absolute, but a thing dependent on the need and judgment of another. An able conductor of soldiers is of great price in time of war present or imminent but in peace not so. A learned and uncorrupt judge is much worth in time of peace, but not so much in war. And as in other things, so in men, not the seller, but the buyer determines the price. For let a man, as most men do, rate themselves at the highest value they can; yet their true value is no more than it is esteemed by others.

17. The manifestation of the value we set on one another is that which is commonly called honoring and dishonoring. To value a man at a high rate is to *honor* him, at a low rate is to *dishonor* him. But high and low in this case is to be

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[1] *liberality* Generosity.

[2] *feared of* Feared by.

[3] *Reputation of* Reputation for.

[4] *Nobility* Noble rank.

[5] *seeming* Giving the appearance of.

[6] *The sciences … attained it* That is: science is only a small power, because nobody has really outstanding scientific knowledge, so nobody is thought of as being very knowledgeable—since only someone who has such knowledge can recognize it in others. Few men have such knowledge, and those that do have it about only a limited range of things.

understood by comparison to the rate that each man sets on himself.

Dignity. 18. The public worth of a man, which is the value set on him by the commonwealth, is that which men commonly call Dignity. And this value of him by the commonwealth is understood by offices of command, judicature, public employment; or by names and titles introduced for distinction of such value.

To honor and dishonor. 19. To pray to[1] another for aid of any kind is *to* Honor [him], because a sign we have an opinion he has power to help; and the more difficult the aid is, the more is the honor.

20. To obey is to honor, because no man obeys them who they think have no power to help or hurt them. And consequently to disobey is to *dishonor*.

21. To give great gifts to a man is to honor him, because it is buying of protection and acknowledging of power. To give little gifts is to dishonor, because it is but alms and signifies an opinion of the need of small helps.

22. To be sedulous in promoting another's good [and] also to flatter is to honor, as a sign we seek his protection or aid. To neglect is to dishonor.

23. To give way or place to another in any commodity is to honor, being a confession of greater power. To arrogate is to dishonor.

[43] 24. To show any sign of love or fear of another is honor, for both to love and to fear is to value. To contemn or less to love or fear than he expects is to dishonor, for it is undervaluing.

25. To praise, magnify, or call happy is to honor, because nothing but goodness, power, and felicity is valued. To revile, mock, or pity is to dishonor.

26. To speak to another with consideration, to appear before him with decency and humility is to honor him, as signs of fear to offend. To speak to him rashly, to do anything before him obscenely, slovenly, impudently is to dishonor.

27. To believe, to trust, to rely on another is to honor him, sign of opinion of his virtue and power. To distrust or not believe is to dishonor.

28. To hearken to a man's counsel or discourse of what kind soever is to honor, as a sign we think him wise or eloquent or witty. To sleep or go forth or talk the while is to dishonor.

29. To do those things to another which he takes for signs of honor or which the law or custom makes so is to honor, because in approving the honor done by others, he acknowledges the power which others acknowledge. To refuse to do them is to dishonor.

30. To agree with in opinion is to honor, as being a sign of approving his judgment and wisdom. To dissent is dishonor and an upbraiding of error, and, if the dissent be in many things, of folly.

31. To imitate is to honor, for it is vehemently to approve. To imitate one's enemy is to dishonor.

32. To honor those another honors is to honor him, as a sign of approbation of his judgment. To honor his enemies is to dishonor him.

33. To employ in counsel or in actions of difficulty is to honor, as a sign of opinion of his wisdom or other power. To deny employment in the same cases to those that seek it is to dishonor.

34. All these ways of honoring are natural, and as well within as without commonwealths. But in commonwealths where he or they that have the supreme authority can make whatsoever they please to stand for signs of honor, there be other honors.

35. A sovereign does honor a subject with whatsoever title or office or employment or action that he himself will have taken for a sign of his will to honor him.

36. The king of Persia honored Mordecai when he appointed [that] he should be conducted through the streets in the king's garment upon one of the king's horses with a crown on his head and a prince before him, proclaiming, *Thus shall it be done to him that the king will honor.*[2] And yet another king of Persia or the same another time to one that demanded for some great service to wear one of the king's robes, gave him leave so to do; but with this addition, that he should wear it

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[1] *pray to* Request of.

[2] *Thus shall ... honor* See Esther 1.1–12.

as the king's fool,[1] and then it was dishonor. So that of civil honor the fountain[2] is in the person of the commonwealth and depends on the will of the sovereign and is therefore temporary and [44] called *civil honor*, such as are magistracy, offices, titles, and in some places coats and scutcheons painted;[3] and men honor such as have them, as having so many signs of favor in the Commonwealth, which favor is power.

Honorable. 37. *Honorable* is whatsoever possession, action, or quality is an argument[4] and sign of power.

38. And therefore to be honored, loved, or feared of many is honorable, as arguments of power. To be honored of few or none, *dishonorable*.

Dishonorable. 39. Dominion and victory is honorable because acquired by power; and servitude, for need or fear, is dishonorable.

40. Good fortune (if lasting) honorable, as a sign of the favor of God. Ill fortune and losses, dishonorable. Riches are honorable, for they are power. Poverty, dishonorable. Magnanimity, liberality, hope, courage, [and] confidence are honorable; for they proceed from the conscience[5] of power. Pusillanimity, parsimony, fear, diffidence, are dishonorable.

41. Timely resolution or determination of what a man is to do is honorable, as being the contempt of small difficulties and dangers. And irresolution dishonorable, as a sign of too much valuing of little impediments and little advantages, for when a man has weighed things as long as the time permits and resolves not, the difference of weight is but little; and therefore if he resolve not, he overvalues little things, which is pusillanimity.

42. All actions and speeches that proceed or seem to proceed from much experience, science, discretion, or wit are honorable, for all these are powers. Actions or words that proceed from error, ignorance, or folly, dishonorable.

43. Gravity,[6] as far forth as it seems to proceed from a mind employed on something else, is honorable, because employment is a sign of power. But if it seem to proceed from a purpose to appear grave, it is dishonorable. For the gravity of the former is like the steadiness of a ship laden with merchandise, but of the like the steadiness of a ship ballasted with sand and other trash.

44. To be conspicuous, that is to say, to be known, for wealth, office, great actions, or any eminent good is honorable, as a sign of the power for which he is conspicuous. On the contrary, obscurity is dishonorable.

45. To be descended from conspicuous parents is honorable, because they the more easily attain the aids and friends of their ancestors. On the contrary, to be descended from obscure parentage is dishonorable.

46. Actions proceeding from equity, joined with[7] loss, are honorable, as signs of magnanimity, for magnanimity is a sign of power. On the contrary, craft, shifting, [and] neglect of equity is dishonorable.

47. Covetousness of great riches and ambition of great honors are honorable, as signs of power to obtain them. Covetousness and ambition of little gains or preferments[8] is dishonorable.

48. Nor does it alter the case of honor whether an action (so it be great and difficult and [45] consequently a sign of much power) be just or unjust, for honor consists only in the opinion of power. Therefore, the ancient heathen did not think they dishonored but greatly honored the gods, when they introduced them in their poems committing rapes, thefts, and other great, but unjust or unclean acts, insomuch as nothing is so much celebrated in Jupiter as his adulteries, nor in Mercury as his frauds and thefts, of whose praises in a hymn of Homer the greatest is this, that being born in the morning, he had invented music at noon and before night stolen away the cattle of Apollo from his herdsmen.

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[1] *king's fool* Court jester.

[2] *fountain* Source.

[3] *scutcheons painted* Shields painted with coats of arms.

[4] *argument* Evidence.

[5] *conscience* Awareness.

[6] *Gravity* Dignified heaviness of manner.

[7] *joined with* But in circumstances of.

[8] *preferments* Privileges, promotions.

49. Also amongst men, till there were constituted great commonwealths, it was thought no dishonor to be a pirate or a highway thief, but rather a lawful trade, not only amongst the Greeks, but also amongst all other nations, as is manifest by the histories of ancient time. And at this day, in this part of the world, private duels are and always will be honorable, though unlawful, till such time as there shall be honor ordained for them that refuse and ignominy for them that make the challenge. For duels also are many times effects of courage, and the ground of courage is always strength or skill, which are power, though for the most part they be effects of rash speaking and of the fear of dishonor in one or both the combatants, who, engaged by rashness, are driven into the lists to avoid disgrace.

Coats of arms. 50. Scutcheons and coats of arms hereditary, where they have any eminent privileges, are honorable; otherwise not; for their power consists either in such privileges or in riches or some such thing as is equally honored in other men. This kind of honor, commonly called gentry,[1] has been derived from the ancient Germans. For there never was any such thing known where the German customs were unknown. Nor is it now anywhere in use where the Germans have not inhabited. The ancient Greek commanders, when they went to war, had their shields painted with such devices[2] as they pleased, insomuch as an unpainted buckler was a sign of poverty and of a common soldier; but they transmitted not the inheritance of them. The Romans transmitted the marks of their families; but they were the images, not the devices of their ancestors. Amongst the people of Asia, Africa, and America, there is not, nor was ever, any such thing. The Germans only had that custom, from whom it has been derived into England, France, Spain and Italy, when in great numbers they either aided the Romans or made their own conquests in these western parts of the world.

51. For Germany, being anciently, as all other countries in their beginnings, divided amongst an infinite number of little lords or masters of families that continually had wars one with another, those masters or lords, principally to the end they might, when they were covered with arms,[3] be known by their followers and partly for ornament, both painted their armor or their scutcheon or coat with the picture of some beast or other thing and also put some eminent and visible mark upon [46] the crest of their helmets. And this ornament both of the arms and crest descended by inheritance to their children to the eldest pure and to the rest with some note of diversity, such as the old master, that is to say in Dutch, the *Here-alt*, thought fit. But when many such families, joined together, made a greater monarchy, this duty of the herald to distinguish scutcheons was made a private office apart. And the issue of these lords is the great and ancient gentry, which for the most part bear living creatures noted for courage and rapine, or castles, battlements, belts, weapons, bars, palisades, and other notes of war; nothing being then in honor, but virtue military. Afterwards, not only kings but popular commonwealths gave divers manners of scutcheons to such as went forth to the war or returned from it for encouragement or recompense to their service. All which, by an observing reader, may be found in such ancient histories, Greek and Latin, as make mention of the German nation and manners in their times.[4]

Titles of honor. 52. Titles of honor, such as are duke, count, marquis, and baron, are honorable, as signifying the value set upon them by the sovereign power of the commonwealth; which titles were in old time titles of office and command derived some from the Romans, some from the Germans and French. Dukes, in Latin, *duces*,[5] being generals in war; counts, *comites*,[6] such as bore the general company out of friendship, and were left to govern and defend places conquered and pacified; marquises, *marchiones*, were counts that governed the marches or bounds of the Empire. Which titles of duke, count, and marquis came into the Empire about the time of Constantine the Great[1] from the customs of the German *militia*. But baron seems to have been a title of the Gauls and signifies a great man, such as were the kings' or princes' men whom they employed in war about their persons and seems to be derived from *vir* [man], to *ber*, and *bar*, that signified the same in the language of the Gauls, that *vir* in Latin, and thence to *bero* and *baro*, so that such men were called *berones*, and after *barones*; and (in Spanish) *varones*. But he that would know more, particularly the original of titles of honor, may find it, as I have done this, in Mr. Selden's most excellent treatise of that subject.[2] In process of time these offices of honor, by occasion of trouble and for reasons of good and peaceable government, were turned into mere titles, serving for the most part to distinguish the precedence, place, and order of subjects in the commonwealth; and men were made dukes, counts, marquises, and barons of places, wherein they had neither possession nor command, and other titles also were devised to the same end.

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[1] *gentry* High birth or rank.

[2] *devices* Pictures or words.

[3] *arms* Armor.

[4] *such ancient histories ... in their times* See Hobbes' translation of Thucydides, *History of the Peloponnesian War* 1.5–6.

[5] *duces* Leaders.

[6] *comites* Companions.

Worthiness. 53. Worthiness is a thing different from the worth or value of a man and also from his merit or desert, and consists in a particular power or ability for that whereof he is said to be worthy; which particular ability is usually named Fitness or *aptitude*.

Fitness. 54. For he is worthiest to be a commander, to be a judge, or to have any other charge, that is best fitted with the qualities required to the well [47] discharging of it, and worthiest of riches that has the qualities most requisite for the well using of them, any of which qualities being absent, one may nevertheless be a worthy man and valuable for something else. Again, a man may be worthy of riches, office, and employment that nevertheless can plead no right to have it before another, and therefore cannot be said to merit or deserve it. For merit presupposes a right, and that the thing deserved is due by promise, of which I shall say more hereafter when I shall speak of contracts.

Chapter 11: Of the Difference of Manners

What is here meant by manners.

1. By Manners,[3] I mean not here decency of behavior, as how one man should salute another, or how a man should wash his mouth, or pick his teeth before company, and such other points of the *small morals*, but those qualities of mankind that concern their living together in peace and unity. To which end we are to consider that the felicity of this life consists not in the repose of a mind satisfied. For there is no such *finis ultimus* (utmost aim) nor *summum bonum* (greatest good) as is spoken of in the books of the old moral philosophers. Nor can a man any more live whose desires are at an end than he whose senses and imaginations are at a stand.[4] Felicity is a continual progress of the desire from one object to another, the attaining of the former being still but the way to the latter. The cause whereof is that the object of man's desire is not to enjoy once only and for one instant of time, but to assure forever the way of his future desire. And therefore the voluntary actions and inclinations of all men tend not only to the procuring, but also to the assuring of a contented life and differ only in the way, which arises partly from the diversity of passions in divers men and partly from the difference of the knowledge or opinion each one has of the causes which produce the effect desired.

A restless desire of power in all men.

2. So that in the first place, I put for a general inclination of all mankind a perpetual and restless desire of power after power that ceases only

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[1] *Constantine the Great* Flavius Constantinus (274–337), Roman emperor who made Christianity the state religion. Constantine was praised by John Foxe in his *Book of Martyrs* (English version, 1563) and Hobbes is similarly approving.

[2] *Mr. Selden's ... that subject* John Selden, *Titles of Honor* (1614). Selden (1584–1654) was a friend of Hobbes during the early 1650s but they may have met at Great Tew in the 1630s.

[3] *Manners* Hobbes does not mean etiquette, but rather ethics.

[4] *are at a stand* Have come to a halt. In ancient Greek philosophy, to have a desire was a kind of imperfection, because it meant that one lacked (wanted) the thing desired. For Hobbes, desire is a necessary condition of life.

in death. And the cause of this is not always that a man hopes for a more intensive delight than he has already attained to or that he cannot be content with a moderate power, but because he cannot assure the power and means to live well, which he has present, without the acquisition of more. And from hence it is that kings, whose power is greatest, turn their endeavors to the assuring it at home by laws or abroad by wars; and when that is done, there succeeds a new desire, in some, of fame from new conquest, in others, of ease and sensual pleasure, in others, of admiration or being flattered for excellence in some art or other ability of the mind.

Love of contention from competition.

3. Competition of riches, honor, command, or other power inclines to contention, enmity, and war, because the way of one competitor to the attaining of his desire is to kill, subdue, supplant, [48] or repel the other. Particularly, competition of praise inclines to a reverence of antiquity. For men contend with the living, not with the dead, to these [dead] ascribing more than due, that they may obscure the glory of the other [living].

Civil obedience from love of ease.

From fear of death or wounds.

4. Desire of ease and sensual delight disposes men to obey a common power, because by such desires a man does abandon the protection that might be hoped for from his own industry and labor. Fear of death and wounds disposes to the same and for the same reason. On the contrary, needy men and hardy, not contented with their present condition, as also all men that are ambitious of military command, are inclined to continue the causes of war and to stir up trouble and sedition, for there is no honor military but by war nor any such hope to mend an ill game as by causing a new shuffle.

And from love of arts.

5. Desire of knowledge and arts of peace inclines men to obey a common power, for such desire contains a desire of leisure and consequently protection from some other power than their own.

Love of virtue from love of praise.

6. Desire of praise disposes to laudable actions, such as please them whose judgment they value; for of those men whom we contemn, we contemn also the praises [they give]. Desire of fame after death does the same. And though after death there be no sense of the praise given us on earth, as being joys that are either swallowed up in the unspeakable joys of heaven or extinguished in the extreme torments of hell; yet is not such fame vain,[1] because men have a present delight therein from the foresight of it and of the benefit that may redound thereby to their posterity, which though they now see not, yet they imagine; and anything that is pleasure in the sense the same also is pleasure in the imagination.[2]

Hate from difficulty of requiting great benefits.

7. To have received from one to whom we think ourselves equal greater benefits than there is hope to requite disposes to counterfeit love, but really secret hatred, and puts a man into the estate of a desperate debtor that, in declining the sight of his creditor, tacitly wishes him there where he might never see him more. For benefits oblige; and obligation is thralldom;[3] and unrequitable[4] obligation, perpetual thraldom, which is to one's equal, hateful. But to have received benefits from one whom we acknowledge for superior inclines to love, because the obligation is no new depression;[5] and cheerful acceptation (which men call *gratitude*) is such an honor done to the obliger as is taken generally for retribution.[6] Also to receive benefits, though from an equal or inferior, as long as there is hope of requital, disposes to love; for in the intention of the receiver the obligation is of aid and service mutual, from whence proceeds an emulation of who shall exceed in benefiting, the most noble and profitable contention[7] possible, wherein the victor is pleased with his victory, and the other revenged by confessing it.[8]

And from conscience of deserving to be hated.

8. To have done more hurt to a man than he can or is willing to expiate inclines the doer to

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[1] *is not such fame vain* This fame is not worthless.

[2] *Desire of fame ... in the imagination* What a person desires to happen after his death cannot make him happy at that time: the joys of heaven and the pain in hell overwhelm any earthly praise. But these desires for the future can make a person happy in the present.

[3] *thralldom* Servitude.

[4] *unrequitable* Nondischargeable.

[5] *depression* Suppression.

[6] *retribution* Repayment.

[7] *contention* Competition.

[8] *revenged by confessing it* Obtained his revenge by admitting defeat.

hate the sufferer. For he must expect revenge or [49] forgiveness, both which are hateful.

Promptness to hurt from fear.

9. Fear of oppression disposes a man to anticipate or to seek aid by society; for there is no other way by which a man can secure his life and liberty.

And from distrust of their own wit.

10. Men that distrust their own subtlety are in [a time of] tumult and sedition better disposed for victory than they that suppose themselves wise or crafty. For these [the former] love to consult, the other [the latter] (fearing to be circumvented) to strike first. And in sedition, men being always in the precincts of battle to hold together and use all advantages of force is a better stratagem than any that can proceed from subtlety of wit.

Vain undertaking from vain-glory.[1]

11. Vain-glorious men, such as without being conscious to themselves of great sufficiency, delight in supposing themselves gallant men, are inclined only to ostentation, but not to attempt [deeds requiring these virtues], because when danger or difficulty appears, they look for nothing but to have their insufficiency discovered.

12. Vain-glorious men [of a different kind], such as estimate their sufficiency by the flattery of other men or the fortune of some precedent action without assured ground of hope from the true knowledge of themselves, are inclined to rash engaging, and in the approach of danger or difficulty to retire[2] if they can, because not seeing the way of safety they will rather hazard their honor, which may be salved with an excuse than their lives, for which no salve is sufficient.

Ambition from opinion of sufficiency.

13. Men that have a strong opinion of their own wisdom in matter of government are disposed to ambition, because without public employment in counsel or magistracy, the honor of their wisdom is lost. And therefore eloquent speakers are inclined to ambition, for eloquence seems wisdom both to themselves and others.

Irresolution from too great valuing of small matters.

14. Pusillanimity disposes men to irresolution and consequently to lose the occasions and fittest opportunities of action. For after men have been in deliberation till the time of action approach, if it be not then manifest what is best to be done, it is a sign [that] the difference of motives the one way and the other are not great; therefore not to resolve then is to lose the occasion by weighing of trifles, which is pusillanimity.

15. Frugality (though in poor men a virtue) makes a man unapt to achieve such actions as require the strength of many men at once; for it weakens their endeavor, which is to be nourished and kept in vigor by reward.

Confidence in others from ignorance of the marks of wisdom and kindness.

16. Eloquence with flattery disposes men to confide in[3] them that have it, because the former is seeming[4] wisdom, the latter seeming[5] kindness. Add to them military reputation and it disposes men to adhere and subject themselves to those men that have them. The two former, having given them caution against danger from him, the latter gives them caution against danger from others.

And from ignorance of natural causes.

17. Want[6] of science, that is, ignorance of causes, disposes or rather constrains a man to rely on the advice and authority of others. For all men whom the truth concerns, if they rely not on their own, must rely on the opinion of some other whom they think wiser than themselves and see not why he should deceive them.

And from want of understanding.

18. Ignorance of the signification of words, [50] which is want of understanding, disposes men to take on trust, not only the truth they know not, but also the errors, and which is more, the nonsense of them they trust; for neither error nor nonsense can without a perfect understanding of words be detected.

19. From the same it proceeds that men give different names to one and the same thing from the difference of their own passions, as they that approve a private opinion call it opinion, but they that mislike[7] it, heresy; and yet heresy signifies no more than private opinion but has only a greater tincture of choler.[8]

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[1] *vain-glory* Unwarranted pride or boasting.

[2] *retire* Withdraw.

[3] *confide in* Trust.

[4] *the former is seeming* Eloquence seems to be.

[5] *latter seeming* Flattery seems to be.

[6] *Want* Lack.

[7] *mislike* Dislike.

[8] *choler* Anger.

20. From the same also it proceeds that men cannot distinguish, without study and great understanding, between one action of many men and many actions of one multitude, as for example, between the one action of all the senators of Rome in killing Catiline and the many actions of a number of senators in killing Caesar, and therefore are disposed to take for the action of the people that which is a multitude of actions done by a multitude of men led perhaps by the persuasion of one.[1]

Adherence to custom from ignorance of the nature of right and wrong.

21. Ignorance of the causes and original constitution of right, equity, law, and justice disposes a man to make custom and example the rule of his actions, in such manner as to think that unjust which it has been the custom to punish and that just of the impunity and approbation whereof they can produce an example or (as the lawyers which only use this false measure of justice barbarously call it) a precedent,[2] like little children that have no other rule of good and evil manners but the correction they receive from their parents and masters, save that children are constant to their rule, whereas men are not so, because grown strong and stubborn, they appeal from custom to reason, and from reason to custom, as it serves their turn, receding from custom when their interest requires it and setting themselves against reason as oft as reason is against them; which is the cause that the doctrine of right and wrong is perpetually disputed both by the pen and the sword, whereas the doctrine of lines and figures[3] is not so, because men care not in that subject what be truth, as [it is] a thing that crosses no man's ambition, profit, or lust. For I doubt not but if it had been a thing contrary to any man's right of dominion or to the interest of men that have dominion *that the three angles of a triangle should be equal to two angles of a square*, that doctrine should [would] have been, if not disputed, yet by the burning of all books of geometry suppressed, as far as he whom it concerned was able.

Adherence to private men, from ignorance of the causes of peace.

22. Ignorance of remote causes disposes men to attribute all events to the causes immediate and instrumental; for these are all the causes they perceive. And hence it comes to pass that in all places men that are grieved with payments to the public discharge their anger upon the publicans, that is to say, farmers, collectors, and other officers of the public revenue, and adhere to such as find fault with the public government, and thereby, when they have engaged themselves beyond hope of justification, fall also upon the supreme authority for fear of punishment or shame of receiving [51] pardon.

Credulity from ignorance of nature.

23. Ignorance of natural causes disposes a man to credulity, so as to believe many times impossibilities; for such [a man] knows nothing to the contrary but that they may be true, being unable to detect the impossibility. And credulity, because men love to be hearkened unto[4] in company, disposes them to lying, so that ignorance itself, without malice, is able to make a man both to believe lies and tell them and sometimes also to invent them.

Curiosity to know from care of future time.

24. Anxiety for the future time disposes men to inquire into the causes of things, because the knowledge of them makes men the better able to order the present to their best advantage.

Natural religion from the same.

25. Curiosity or love of the knowledge of causes draws a man from consideration of the effect to seek the cause, and again, the cause of that cause, till of necessity he must come to this thought at last that there is some cause whereof there is no former cause but is eternal; which is it men call God. So that it is impossible to make any profound inquiry into natural causes without being inclined thereby to believe there is one God eternal, though they cannot have any idea of him in their mind answerable to his nature.[5] For as a man that is born blind, hearing men talk of

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[1] *to take ... of one* To mistakenly take what is really a multitude of actions, performed by several people (perhaps with a single leader) to be a single action performed by a collectivity. Hobbes may be alluding to the execution of King Charles I (1649) by the members of the Rump Parliament.

[2] *to think ... a precedent* Hobbes is criticizing Edward Coke (1552–1634), who claimed the Common Law was independent of the king.

[3] *the doctrine of lines and figures* Geometry.

[4] *hearkened unto* Listened to.

[5] *they cannot ... his nature* Humans can know that God exists, but not what his nature is, because they have no direct or unmediated knowledge of God.

warming themselves by the fire and being brought to warm himself by the same, may easily conceive and assure himself there is somewhat there which men call fire and is the cause of the heat he feels, but cannot imagine what it is like nor have an idea of it in his mind such as they have that see it, so also by the visible things of this world and their admirable order, a man may conceive there is a cause of them, which men call God, and yet not have an idea or image of him in his mind.

26. And they that make little or no inquiry into the natural causes of things, yet from the fear that proceeds from the ignorance itself of what it is that has the power to do them much good or harm are inclined to suppose and feign unto themselves several kinds of powers invisible and to stand in awe[1] of their own imaginations and in time of distress to invoke them, as also in the time of an expected good success, to give them thanks, making the creatures of their own fancy their gods. By which means it has come to pass that from the innumerable variety of fancy,[2] men have created in the world innumerable sorts of gods. And this fear of things invisible is the natural seed of that which every one in himself calls religion, and in them that worship or fear that power otherwise than they do, superstition.

27. And this seed of religion, having been observed by many, some of those that have observed it have been inclined thereby to nourish, dress, and form it into laws, and to add to it of their own invention any opinion of the causes of future events by which they thought they should best be able to govern others and make unto themselves the greatest use of their powers.

[...]

Chapter 13: Of the Natural Condition of Mankind as Concerning Their Felicity and Misery

Men by nature equal.

1. Nature has made men so equal in the faculties of body and mind, as that, though there be found one man sometimes manifestly stronger in body or of quicker mind than another; yet when all is reckoned together, the difference between man and man is not so considerable as that one man can thereupon claim to himself any benefit to which another may not pretend[3] as well as he. For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination or by confederacy with others that are in the same danger with himself.

✓ Sue

2. And as to the faculties of the mind, setting aside the arts grounded upon words, and especially that skill of proceeding upon general and infallible rules, called science, which very few have and but in few things, as being not a native faculty born with us, nor attained, as prudence, while we look after somewhat else, I find yet a greater equality amongst men than that of strength. For prudence is but experience, which [61] equal time equally bestows on all men in those things they equally apply themselves unto. That which may perhaps make such equality incredible is but a vain conceit of one's own wisdom, which almost all men think they have in a greater degree than the vulgar,[4] that is, than all men but themselves and a few others, whom by fame or for concurring with themselves, they approve. For such is the nature of men that howsoever they may acknowledge many others to be more witty or more eloquent or more learned, they will hardly believe there be many so wise as themselves; for they see their own wit[5] at hand and other men's at a distance. But this proves rather that men are in that point equal, than unequal. For there is not ordinarily a greater sign of the equal distribution of anything than that every man is contented with his share.

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[1] *awe* This word occurs frequently and importantly in Hobbes. It means *fear, terror, dread*; it does not primarily carry the associations we have with that word of *reverence, respect, wonder*.

[2] *fancy* Imagination.

[3] *pretend* Claim.

[4] *vulgar* Common people.

[5] *wit* Wisdom.

From equality proceeds diffidence.

3. From this equality of ability arises equality of hope in the attaining of our ends. And therefore if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and in the way to their end (which is principally their own conservation,[1] and sometimes their delectation[2] only) endeavor to destroy or subdue one another. And from hence it comes to pass that where an invader has no more to fear than another man's single power, if one plant, sow, build, or possess a convenient seat,[3] others may probably be expected to come prepared with forces united to dispossess and deprive him, not only of the fruit of his labor, but also of his life or liberty. And the invader again is in the like danger of another.

From diffidence war.

4. And from this diffidence[4] of one another, there is no way for any man to secure himself so reasonable as anticipation,[5] that is, by force or wiles, to master the persons of all men he can so long till he see no other power great enough to endanger him; and this is no more than his own conservation requires, and is generally allowed. Also, because there be some that, taking pleasure in contemplating their own power in the acts of conquest, which they pursue farther than their security requires, if others, that otherwise would be glad to be at ease within modest bounds, should not by invasion increase their power, they would not be able, long time, by standing only on their defense, to subsist. And by consequence, such augmentation of dominion over men being necessary to a man's conservation, it ought to be allowed him.

5. Again, men have no pleasure (but on the contrary a great deal of grief) in keeping company where there is no power able to overawe them all. For every man looks that his companion should value him at the same rate he sets upon himself, and upon all signs of contempt or undervaluing naturally endeavors, as far as he dares (which amongst them that have no common power to keep them in quiet is far enough to make them destroy each other), to extort a greater value from his contemners,[6] by damage; and from others, by the example.

6. So that in the nature of man, we find three principal causes of quarrel. First, competition; secondly, diffidence; thirdly, glory.

7. The first makes men invade for gain; the [62] second, for safety; and the third, for reputation. The first use violence to make themselves masters of other men's persons, wives, children, and cattle; the second, to defend them; the third, for trifles, as a word, a smile, a different opinion, and any other sign of undervalue, either direct in their persons or by reflection in their kindred, their friends, their nation, their profession, or their name.

Out of civil states there is always war of every one against every one.

8. Hereby it is manifest that during the time men live without a common power to keep them all in awe, they are in that condition which is called war; and such a war as is of every man against every man. For War consists not in battle only, or the act of fighting, but in a tract[7] of time, wherein the will to contend by battle is sufficiently known; and therefore the notion of *time* is to be considered in the nature of war, as it is in the nature of weather. For as the nature of foul weather lies not in a shower or two of rain, but in an inclination thereto of many days together, so the nature of war consists not in actual fighting, but in the known disposition thereto during all the time there is no assurance to the contrary. All other time is Peace.

The incommodities[9] of such a war.

9. Whatsoever therefore is consequent to[8] a time of war, where every man is enemy to every man, the same consequent to the time wherein men live without other security than what their own strength and their own invention shall furnish them withal. In such condition there is no place for industry, because the fruit thereof is uncertain; and consequently no culture of the earth; no navigation, nor use of the commodities that may be imported by sea; no commodious build-

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[1] *conservation* Survival.

[2] *delectation* Enjoyment.

[3] *convenient seat* Suitable estate.

[4] *diffidence* Distrust.

[5] *anticipation* Striking first.

[6] *contemners* Scorners.

[7] *tract* Period.

[8] *is consequent to* Results from.

[9] *incommodities* Disadvantages.

ing; no instruments of moving and removing such things as require much force; no knowledge of the face of the earth; no account of time; no arts; no letters; no society; and which is worst of all, continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short.

10. It may seem strange to some man that has not well weighed these things that nature should thus dissociate and render men apt to invade and destroy one another; and he may therefore, not trusting to this inference, made from the passions,[1] desire perhaps to have the same confirmed by experience. Let him therefore consider with himself; when taking a journey, he arms himself and seeks to go well accompanied; when going to sleep, he locks his doors; when even in his house he locks his chests; and this when he knows there be laws and public officers, armed to revenge all injuries shall be done him; what opinion he has of his fellow subjects, when he rides armed; of his fellow citizens, when he locks his doors; and of his children, and servants, when he locks his chests. Does he not there as much accuse mankind by his actions as I do by my words? But neither of us accuse man's nature in it. The desires and other passions of man are in themselves no sin. No more are the actions that proceed from those passions till they know a law that forbids them; which, till laws be made, they cannot know; nor can any law be made till they have agreed upon the person that shall make it.

[63] 11. It may peradventure[2] be thought there was never such a time nor condition of war as this; and I believe it was never generally so, over all the world; but there are many places where they live so now. For the savage people in many places of America, except the government of small families, the concord whereof depends on natural lust, have no government at all, and live at this day in that brutish manner, as I said before. Howsoever, it may be perceived what manner of life there would be, where there were no common power to fear, by the manner of life which men that have formerly lived under a peaceful government use to degenerate into a civil war.

12. But though there had never been any time wherein particular men were in a condition of war one against another; yet in all times kings and persons of sovereign authority, because of their independency, are in continual jealousies, and in the state and posture of gladiators, having their weapons pointing and their eyes fixed on one another, that is, their forts, garrisons, and guns upon the frontiers of their kingdoms, and continual spies upon their neighbors, which is a posture of war. But because they uphold thereby the industry of their subjects, there does not follow from it that misery which accompanies the liberty of particular men.

In such a war nothing is unjust.

13. To this war of every man against every man, this also is consequent; that nothing can be unjust. The notions of right and wrong, justice and injustice, have there no place. Where there is no common power, there is no law; where no law, no injustice. Force and fraud are in war the two cardinal virtues. Justice and injustice are none of the faculties[3] neither of the body nor mind. If they were, they might be in a man that were alone in the world, as well as his senses and passions. They are qualities that relate to men in society, not in solitude. It is consequent also to the same condition that there be no propriety,[4] no dominion, no *mine* and *thine* distinct; but only that to be every man's that he can get, and for so long as he can keep it. And thus much for the ill condition which man by mere nature is actually placed in; though with a possibility to come out of it, consisting partly in the passions, partly in his reason.

The passions that incline men to peace.

14. The passions that incline men to peace are fear of death, desire of such things as are necessary to commodious living, and a hope by their industry to obtain them. And reason suggests convenient articles of peace upon which men may be drawn to agreement. These articles are they which otherwise are called the laws of nature, whereof I

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[1] *this inference, made from the passions* My derivation of this, from the nature of the passions.

[2] *peradventure* Possibly.

[3] *faculties* Natural capacities.

[4] *propriety* Ownership.

shall speak more particularly in the two following chapters.

Self pres

[64] Chapter 14: Of the First and Second Natural Laws, and of Contracts

Right of nature what.

1. The right of nature, which writers commonly call *jus naturale,* is the liberty each man has to use his own power as he will himself for the preservation of his own nature; that is to say, of his own life; and consequently, of doing anything which, in his own judgment and reason, he shall conceive to be the aptest means thereunto.

Liberty what.

2. By Liberty is understood, according to the proper signification of the word, the absence of external impediments; which impediments may oft take away part of a man's power to do what he would, but cannot hinder him from using the power left him according as his judgment and reason shall dictate to him.

A law of nature what.

3. A Law of Nature (*lex naturalis*) is a precept or general rule, found out by reason, by which a man is forbidden to do that which is destructive of his life, or takes away the means of preserving the same, and to omit that by which he thinks it may be best preserved. For though they that speak of this subject use to confound[1] *jus* and *lex, right* and *law*; yet they ought to be distinguished, because right consists in liberty to do or to forbear; whereas law determines and binds to one of them;[2] so that law and right differ as much as obligation and liberty, which in one and the same matter are inconsistent.

Difference of right and law.

Naturally[3] every man has right to every thing.

4. And because the condition of man (as has been declared in the precedent chapter) is a condition of war of every one against every one, in which case every one is governed by his own reason, and there is nothing he can make use of that may not be a help unto him in preserving his life against his enemies; it follows that in such a condition every man has a right to every thing, even to one another's body. And therefore, as long as this natural right of every man to every thing endures, there can be no security to any man, how strong or wise soever he be, of living out the time which nature ordinarily allows men to live. And consequently it is a precept, or general rule of reason *that every man ought to endeavor peace, as far as he has hope of obtaining it; and when he cannot obtain it, that he may seek and use all helps and advantages of war.*[4] The first branch of which rule contains the first and fundamental law of nature, which is *to seek peace and follow it.* The second, the sum of the right of nature, which is *by all means we can to defend ourselves.*

The fundamental law of nature, to seek peace.

The second law of nature. Contract in way of peace. [65]

5. From this fundamental law of nature, by which men are commanded to endeavor peace, is derived this second law: that a man be willing, when others are so too, as far forth as for peace and defense of himself he shall think it necessary, to lay down[5] this right to all things; and be contented with so much liberty against other men as he would allow other men against himself. For as long as every man holds this right of doing anything he likes, so long are all men in the condition of war. But if other men will not lay down their right, as well as he, then there is no reason for anyone to divest himself of his, for that were to expose himself to prey, which no man is bound to, rather than to dispose himself to peace. This is that law of the gospel: Whatsoever you require that others should do to you, that do ye to them.[6] And that law of all men, quod tibi fieri non vis, alteri ne feceris.[7]

What it is to lay down a right.

6. To lay down a man's right to anything is to divest himself of the liberty of hindering another

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[1] *use to confound* Commonly confuse.

[2] *determines and binds to one of them* Picks one of them and commands it.

[3] *Naturally* In the state of nature.

[4] *every man ... of war* The fundamental precept or general rule consists of two parts: the first part is the first or fundamental law of nature; the second part is the right of nature.

[5] *lay down* Renounce.

[6] *Whatsoever you ... to them* Hobbes is wrong about what is "the law of the gospel." The gospel recommends, "Whatsoever you wish others to do to you, that do ye to them" (Matthew 7.12). At 15.35, Hobbes gives the so-called negative Golden Rule: "*Do not that to another which thou wouldest not have done to thyself.*"

[7] *quod tibi ... ne feceris* Latin: what you do not want done to you, do not do to another.

of the benefit of his own right to the same.[1] For he that renounces or passes away his right gives not to any other man a right which he had not before, because there is nothing to which every man had not right by nature, but only stands out of his way that he may enjoy his own original right without hindrance from him, not without hindrance from another. So that the effect which redounds to one man by another man's defect[2] of right is but so much diminution of impediments to the use of his own right original.

Renouncing a right what it is. Transferring right what. Obligation. Duty. Injustice.

7. Right is laid aside either by simply renouncing it or by transferring it to another. By *simply* Renouncing, when he cares not to whom the benefit thereof redoubeth.[3] By Transferring, when he intends the benefit thereof to some certain person or persons. And when a man has in either manner abandoned or granted away his right, then is he said to be Obliged or Bound, not to hinder those to whom such right is granted, or abandoned, from the benefit of it; and that he *ought*, and it is Duty, not to make void that voluntary act of his own; and that such hindrance is Injustice and Injury, as being *sine jure*;[4] the right being before renounced or transferred. So that *injury* or *injustice*, in the controversies of the world, is somewhat like to that which in the disputations of scholars is called *absurdity*. For as it is there called an absurdity to contradict what one maintained in the beginning, so in the world it is called injustice and injury voluntarily to undo that which from the beginning he had voluntarily done. The way by which a man either simply renounces or transfers his right is a declaration or signification by some voluntary and sufficient sign or signs that he does so renounce or transfer or has so renounced or transferred the same to him that accepts it. And these signs are either words only, or actions only; or, as it happens most often, both words and actions. And the same are the Bonds, by which men are bound and obliged, bonds that have their strength, not from their own nature (for nothing is more easily broken than a man's word), but from fear of some evil consequence upon the rupture.

Not all rights are alienable.

8. Whensoever a man transfers his right, or renounces it, it is either in consideration of some right reciprocally transferred to himself, or for some other good he hopes for thereby. For it is a [66] voluntary act; and of the voluntary acts of every man, the object is some *good to himself*. And therefore there be some rights which no man can be understood by any words, or other signs, to have abandoned or transferred. As first a man cannot lay down the right of resisting them that assault him by force to take away his life, because he cannot be understood to aim thereby at any good to himself. The same may be said of wounds, and chains, and imprisonment, both because there is no benefit consequent to such patience,[5] as there is to the patience of suffering another to be wounded or imprisoned, as also because a man cannot tell when he sees men proceed against him by violence whether they intend his death or not. And lastly the motive and end for which this renouncing and transferring of right is introduced is nothing else but the security of a man's person in his life, and in the means of so preserving life as not to be weary of it. And therefore if a man by words, or other signs, seem to despoil [deprive] himself of the end for which those signs were intended, he is not to be understood as if he meant it, or that it was his will, but that he was ignorant of how such words and actions were to be interpreted.

Contract what.

9. The mutual transferring of right is that which men call Contract.

10. There is difference between transferring of right to the thing, and transferring or tradition,[6] that is, delivery of the thing itself. For the thing may be delivered together with the translation of the right, as in buying and selling with ready money, or exchange of goods or lands; and it may be delivered some time after.

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[1] *To lay ... the same* That is: when a person renounces his right to something he thus deprives himself of the liberty of blocking someone else from getting the benefit of doing the same thing.

[2] *defect* Absence.

[3] *redoubeth* Transfers.

[4] *sine jure* Latin: without right.

[5] *such patience* Putting up with such things.

[6] *tradition* Handing over.

Covenant what.

11. Again, one of the contractors may deliver the thing contracted for on his part, and leave the other to perform his part at some determinate time after, and in the meantime be trusted; and then the contract on his part is called Pact or Covenant; or both parts may contract now to perform hereafter, in which cases he that is to perform in time to come, being trusted, his performance is called *keeping of promise*, or faith, and the failing of performance, if it be voluntary, *violation of faith*.

Free gift.

12. When the transferring of right is not mutual, but one of the parties transfers in hope to gain thereby friendship or service from another or from his friends; or in hope to gain the reputation of charity or magnanimity; or to deliver his mind from the pain of compassion; or in hope of reward in heaven; this is not contract, but Gift, Free Gift, Grace; which words signify one and the same thing.

Signs of contract express.

13. Signs of contract are either *express*[1] or *by inference*. Express are words spoken with understanding of what they signify; and such words are either of the time *present* or *past*, as, *I give*, *I grant*, *I have given*, *I have granted*, *I will that this be yours*; or of the future, as, *I will give*, *I will grant*, which words of the future are called Promise.

Signs of contract by inference.

14. Signs by inference are sometimes the consequence of words, sometimes the consequence of silence, sometimes the consequence of actions, [67] sometimes the consequence of forbearing an action, and generally a sign by inference, of any contract, is whatsoever sufficiently argues[2] the will of the contractor.

Free gift passes by words of the present or past.

15. Words alone, if they be of the time to come, and contain a bare promise, are an insufficient sign of a free gift and therefore not obligatory. For if they be of the time to come, as, *tomorrow I will give*, they are a sign I have not given yet, and consequently that my right is not transferred, but remains till I transfer it by some other act. But if the words be of the time present or past, as, *I have given*, or *do give to be delivered tomorrow*, then is my tomorrow's right given away today; and that by the virtue of the words, though there were no other argument of my will. And there is a great difference in the signification of these words, *volo hoc tuum esse cras*, and *cras dabo*; that is, between *I will that this be thine tomorrow*, and, *I will give it thee tomorrow*, for the word *I will*, in the former manner of speech, signifies an act of the will present; but in the latter, it signifies a promise of an act of the will to come; and therefore the former words, being of the present, transfer a future right; the latter, that be of the future, transfer nothing. But if there be other signs of the will to transfer a right besides words, then, though the gift be free, yet may the right be understood to pass by words of the future, as if a man propound[3] a prize to him that comes first to the end of a race, the gift is free; and though the words be of the future, yet the right passes, for if he would not have his words so be understood, he should not have let them run.

Signs of contract are words both of the past, present, and future.

16. In contracts the right passes, not only where the words are of the time present or past, but also where they are of the future, because all contract is mutual translation[4] or change of right; and therefore he that promises only, because he has already received the benefit for which he promises, is to be understood as if he intended the right should pass, for unless he had been content to have his words so understood, the other would not have performed his part first. And for that cause, in buying and selling, and other acts of contract, a promise is equivalent to a covenant, and therefore obligatory.

Merit what.

17. He that performs first in the case of a contract is said to Merit that which he is to receive by the performance of the other, and he has it as *due*. Also when a prize is propounded to many, which is to be given to him only that wins, or money is thrown amongst many to be enjoyed by them that catch it, though this be a free gift; yet so to win or so to catch is to *merit*, and to have it as Due. For the right is transferred in the propounding of the prize and in throwing down the money, though it be not determined to whom, but by the

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[1] *express* Explicit.

[2] *argues* Indicates.

[3] *propound* Propose.

[4] *translation* Transfer.

event of the contention.[1] But there is between these two sorts of merit this difference, that in contract I merit by virtue of my own power and the contractor's need, but in this case of free gift I am enabled to merit only by the benignity of the giver; in contract I merit at the contractor's hand [68] that he should depart with his right; in this case of gift, I merit not that the giver should part with his right, but that when he has parted with it, it should be mine rather than another's. And this I think to be the meaning of that distinction of the Schools[2] between *meritum congrui*[3] and *meritum condigni*.[4] For God Almighty, having promised paradise to those men, hoodwinked with carnal desires, that can walk through this world according to the precepts and limits prescribed by him, they say he that shall so walk shall merit paradise *ex congruo* [*from its appropriateness*]. But because no man can demand a right to it by his own righteousness, or any other power in himself, but by the free grace of God only, they say no man can merit paradise *ex condigno* [*from being deserved*]. This, I say, I think is the meaning of that distinction; but because disputers do not agree upon the signification of their own terms of art[5] longer than it serves their turn,[6] I will not affirm anything of their meaning; only this I say; when a gift is given indefinitely, as a prize to be contended for, he that wins merits, and may claim the prize as due.

Covenants of mutual trust, when invalid.

18. If a covenant be made wherein neither of the parties perform presently, but trust one another, in the condition of mere nature (which is a condition of war of every man against every man) upon any reasonable suspicion, it is void; but if there be a common power set over them both, with right and force sufficient to compel performance, it is not void. For he that performs first has no assurance the other will perform after, because the bonds of words are too weak to bridle men's ambition, avarice, anger, and other passions, without the fear of some coercive power; which in the condition of mere nature, where all men are equal, and judges of the justness of their own fears, cannot possibly be supposed. And therefore he which performs first does but betray himself to his enemy, contrary to the right he can never abandon of defending his life and means of living.

19. But in a civil estate, where there is a power set up to constrain those that would otherwise violate their faith, that fear is no more reasonable; and for that cause, he which by the covenant is to perform first is obliged so to do.

20. The cause of fear, which makes such a covenant invalid, must be always something arising after the covenant made, as some new fact or other sign of the will not to perform, else it cannot make the covenant void. For that which could not hinder a man from promising ought not to be admitted as a hindrance of performing.

Right to the end, contains right to the means.

21. He that transfers any right transfers the means of enjoying it, as far as lies in his power. As he that sells land is understood to transfer the herbage and whatsoever grows upon it; nor can he that sells a mill turn away the stream that drives it. And they that give to a man the right of government in sovereignty are understood to give him the right of levying money to maintain soldiers, and of appointing magistrates for the administration of justice.

No covenant with beasts.

22. To make covenants with brute beasts is impossible, because not understanding our speech, they understand not, nor accept of any translation of right, nor can translate any right to another; and without mutual acceptation, there is [69] no covenant.

Nor with God without special revelation.

23. To make covenant with God is impossible but [except] by mediation of such as God speaks to either by revelation supernatural or by his lieutenants that govern under him and in his name; for otherwise we know not whether our covenants be accepted or not. And therefore they that vow anything contrary to any law of nature, vow in vain, as being a thing unjust to pay such vow. And if it be a thing commanded by the law of nature, it is not the vow, but the law that binds them.

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[1] *contention* Contest.

[2] *the Schools* The Scholastic philosophers—medieval European academics, roughly twelfth to fifteenth century.

[3] *meritum congrui* Latin: what you deserve appropriately (because of having obeyed the rules).

[4] *meritum condigni* Latin: what you deserve because of your own worth.

[5] *terms of art* Technical terms.

[6] *serves their turn* Suits them.

No covenant, but of possible and future.

24. The matter or subject of a covenant is always something that falls under deliberation; for to covenant is an act of the will, that is to say, an act, and the last act, of deliberation, and is therefore always understood to be something to come, and which judged possible for him that covenants to perform.

25. And therefore, to promise that which is known to be impossible is no covenant. But if that prove impossible afterwards, which before was thought possible, the covenant is valid and binds, though not to the thing itself, yet to the value; or, if that also be impossible, to the unfeigned endeavor of performing as much as is possible, for to more no man can be obliged.

Covenants, how made void.

26. Men are freed of their covenants two ways, by performing or by being forgiven. For performance is the natural end of obligation, and forgiveness the restitution of liberty, as being a retransferring of that right in which the obligation consisted.

Covenants extorted by fear are valid.

27. Covenants entered into by fear, in the condition of mere nature, are obligatory. For example, if I covenant to pay a ransom or service for my life to an enemy, I am bound by it. For it is a contract, wherein one receives the benefit of life, the other is to receive money or service for it; and consequently, where no other law (as in the condition of mere nature) forbids the performance, the covenant is valid. Therefore prisoners of war, if trusted with the payment of their ransom, are obliged to pay it; and if a weaker prince make a disadvantageous peace with a stronger, for fear, he is bound to keep it, unless (as has been said before) there arises some new and just cause of fear to renew the war. And even in commonwealths, if I be forced to redeem myself from a thief by promising him money, I am bound to pay it, till the civil law discharge me [of that obligation]. For whatsoever I may lawfully do without obligation, the same I may lawfully covenant to do through fear; and what I lawfully covenant, I cannot lawfully break.

The former covenant to one makes void the later to another.

28. A former[1] covenant makes void a later. For a man that has passed away his right to one man today has it not to pass tomorrow to another; and therefore the later promise passes no right, but is null.

A man's covenant not to defend himself is void. [70]

29. A covenant not to defend myself from force, by force, is always void. For (as I have shown before) no man can transfer or lay down his right to save himself from death, wounds, and imprisonment, the avoiding whereof is the only end of laying down any right; and therefore the promise of not resisting force, in no covenant transfers any right, nor is obliging. For though a man may covenant thus, *unless I do so, or so, kill me*; he cannot covenant thus, *unless I do so, or so, I will not resist you when you come to kill me*. For man by nature chooses the lesser evil, which is danger of death in resisting, rather than the greater, which is certain and present death in not resisting. And this is granted to be true by all men in that they lead criminals to execution and prison with armed men, notwithstanding that such criminals have consented to the law by which they are condemned.

No man obliged to accuse himself.

30. A covenant to accuse oneself, without assurance of pardon, is likewise invalid. For in the condition of nature where every man is judge, there is no place for accusation; and in the civil state the accusation is followed with punishment, which, being force, a man is not obliged not to resist. The same is also true of the accusation of those by whose condemnation a man falls into misery, as of a father, wife, or benefactor. For the testimony of such an accuser, if it be not willingly given, is presumed to be corrupted by nature, and therefore not to be received; and where a man's testimony is not to be credited, he is not bound to give it. Also accusations upon torture are not to be reputed[2] as testimonies. For torture is to be used but as means of conjecture[3] and light in the further examination and search of truth; and what is in that case confessed tends to the ease of him that is tortured, not to the informing of the torturers, and therefore ought not to have the credit of a sufficient testimony, for whether he deliver himself by true or false accusation, he does it by the right of preserving his own life.

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[1] *former* Earlier.

[2] *reputed* Regarded.

[3] *conjecture* Hypothesis formation.

The end of an oath.

31. The force of words being (as I have formerly noted) too weak to hold men to the performance of their covenants, there are in man's nature but two imaginable helps to strengthen it. And those are either a fear of the consequence of breaking their word or a glory or pride in appearing not to need to break it. This latter is a generosity too rarely found to be presumed on, especially in the pursuers of wealth, command, or sensual pleasure, which are the greatest part of mankind. The passion to be reckoned upon is fear; whereof there be two very general objects: one, the power of spirits invisible; the other, the power of those men they shall therein offend. Of these two, though the former be the greater power; yet the fear of the latter is commonly the greater fear. The fear of the former is in every man his own religion, which has place in the nature of man before civil society. The latter has not so, at least not place enough to keep men to their promises, because in the condition of mere nature, the inequality of power is not discerned, but by the event of battle. So that before the time of civil society, or in the interruption thereof by war, there is nothing can strengthen a covenant of peace agreed on against the temptations of avarice, ambition, lust, or other strong desire, but the fear of that invisible power which they every one worship as God, and fear as a revenger of their perfidy. All therefore that can be done between two men not subject [71] to civil power is to put one another to swear by the God he fears; which *swearing*, or Oath, is a *form of speech, added to a promise, by which he that promises signifies that unless he perform he renounces the mercy of his God, or calls to him for vengeance on himself.* Such was the heathen form, *Let Jupiter kill me else, as I kill this beast.* So is our form, *I shall do thus, and thus, so help me God.* And this, with the rites and ceremonies which every one uses in his own religion, that the fear of breaking faith might be the greater.

The form of an oath.

No oath, but by God.

32. By this it appears that an oath taken according to any other form or rite than his that swears is in vain and no oath; and that there is no swearing by anything which the swearer thinks not God. For though men have sometimes used to swear by their kings, for fear, or flattery; yet they would have it thereby understood they attributed to them divine honor. And that swearing unnecessarily by God is but profaning of his name; and swearing by other things, as men do in common discourse, is not swearing, but an impious custom, gotten by too much vehemence of talking.

An oath adds nothing to the obligation.

33. It appears also that the oath adds nothing to the obligation. For a covenant, if lawful, binds in the sight of God, without the oath, as much as with it; if unlawful, binds not at all, though it be confirmed with an oath.

Chapter 15: Of Other Laws of Nature

The third law of nature, Justice.

1. From that [second] law of nature by which we are obliged to transfer to another such rights as, being retained, hinder the peace of mankind, there follows a third, which is this; *that men perform their covenants made*; without which, covenants are in vain and but empty words; and the right of all men to all things remaining, we are still in the condition of war.

Justice and injustice what.

2. And in this law of nature consists the fountain and original [source] of Justice. For where no covenant has preceded, there has no right been transferred; and every man has right to everything; and consequently, no action can be unjust. But when a covenant is made, then to break it is *unjust* and the definition of Injustice is no other than *the not performance of covenant.* And whatsoever is not unjust is *just.*[1]

Justice and propriety begin with the constitution of the commonwealth.

3. But because covenants of mutual trust, where there is a fear of not performance on either part (as has been said in the former chapter[2]), are invalid, though the original of justice be the making of covenants; yet injustice actually there can be none till the cause of such fear be taken away;

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[1] *whatsoever is not unjust is just* "Just" and "unjust" are normally contraries, not contradictories. That is: it is not normally understood that everything not one is the other: some things can be neither just nor unjust. However, Hobbes defines "just" in such a way that it becomes the contradictory of "unjust." Taking his definitions strictly, anyone in the state of nature who makes no covenants is just, because he is not unjust.

[2] *the former chapter* Chapter 14.

which, while men are in the natural condition of war, cannot be done. Therefore before the names of *just* and *unjust* can have place, there must be some coercive power to compel men equally to the performance of their covenants by the terror of some punishment greater than the benefit they [72] expect by the breach of their covenant, and to make good that propriety[1] which by mutual contract men acquire in recompense of the universal right they abandon; and such power there is none before the erection of a commonwealth. And this is also to be gathered out of the ordinary definition of justice in the Schools, for they say that *justice is the constant* [unwavering] *will of giving to every man his own.* And therefore where there is no *own*, that is, no propriety, there is no injustice; and where there is no coercive power erected, that is, where there is no commonwealth, there is no propriety, all men having right to all things; therefore where there is no commonwealth, there nothing is unjust. So that the nature of justice consists in keeping of valid covenants; but the validity of covenants begins not but with the constitution of a civil power sufficient to compel men to keep them; and then it is also that propriety begins.

Justice not contrary to reason.

4. The fool has said in his heart, there is no such thing as justice;[2] and sometimes also with his tongue, seriously alleging that every man's conservation and contentment being committed to his own care, there could be no reason why every man might not do what he thought conduced thereunto; and therefore also to make or not make, keep or not keep covenants was not against reason when it conduced to one's benefit. He does not therein deny that there be covenants; and that they are sometimes broken, sometimes kept; and that such breach of them may be called injustice, and the observance of them justice; but he questions whether injustice, taking away the fear of God (for the same fool has said in his heart there is no God), not sometimes stand with that reason which dictates to every man his own good; and particularly then, when it conduces to such a benefit as shall put a man in a condition to neglect not only the dispraise and revilings, but also the power of other men. The kingdom of God is gotten by violence; but what if it could be gotten by unjust violence? Were it against reason so to get it, when it is impossible to receive hurt by it? And if it be not against reason, it is not against justice; or else justice is not to be approved for[3] good. From such reasoning as this, successful wickedness has obtained the name of virtue; and some that in all other things have disallowed the violation of faith, yet have allowed it when it is for the getting of a kingdom. And the heathen that believed that Saturn was deposed by his son Jupiter believed nevertheless the same Jupiter to be the avenger of injustice, somewhat like to a piece of law in Coke's[4] *Commentaries on Littleton*, where he says, if the right heir of the crown be attainted of treason, yet the crown shall descend to him, and *eo instante*[5] the attainder[6] be void; from which instances a man will be very prone to infer that when the heir apparent of a kingdom shall kill him that is in possession, though his father, you may call it injustice or by what other name you will; yet it can never be against reason, seeing all the voluntary actions of men tend to the benefit of themselves; and those actions are most reasonable that conduce most to their ends. This [73] specious reasoning is nevertheless false.

5. For the question is not of promises mutual, where there is no security of performance on either side, as when there is no civil power erected over the parties promising, for such promises are no covenants; but either where one of the parties has performed already or where there is a power to make him perform, there is the question whether it be against reason, that is, against the benefit of

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[1] *that propriety* Those benefits.

[2] *The fool ... as justice* This is a reference to the beginning of Psalm 14 or Psalm 53: "The fool hath said in his heart, There is no God."

[3] *approved for* Approved as.

[4] *Coke* Edward Coke (1552–1634), in his time England's leading theorist of the common law. This sometimes put him into opposition to King James I and later Charles I. His commentaries on the *Tenures* of Sir Thomas Littleton (c. 1422–81), an English jurist, are among his most famous works. They are in the first part of the *Institutes of the Laws of England* (1629).

[5] *eo instante* Latin: at that moment.

[6] *attainder* Conviction.

the other to perform or not. And I say it is not against reason. For the manifestation whereof we are to consider, first, that when a man does a thing, which notwithstanding anything can be foreseen and reckoned on[1] tends to his own destruction, howsoever some accident, which he could not expect, arriving may turn it to his benefit; yet such events do not make it reasonably or wisely done. Secondly, that in a condition of war, wherein every man to every man, for want of a common power to keep them all in awe, is an enemy, there is no man can hope by his own strength or wit to defend himself from destruction without the help of confederates, where every one expects the same defense by the confederation that any one else does; and therefore he which declares he thinks it reason to deceive those that help him can in reason expect no other means of safety than what can be had from his own single power. He, therefore, that breaks his covenant and consequently declares that he thinks he may with reason do so, cannot be received into any society that unite themselves for peace and defense but by the error of them that receive him; nor when he is received be retained in it without seeing the danger of their error; which errors a man cannot reasonably reckon upon as the means of his security; and therefore if he be left or cast out of society, he perishes; and if he live in society, it is by the errors of other men, which he could not foresee nor reckon upon, and consequently against the reason of his preservation; and so, as all men that contribute not to his destruction forbear[2] him only out of ignorance of what is good for themselves.

6. As for the instance of gaining the secure and perpetual felicity of heaven by any way, it is frivolous; there being but one way imaginable, and that is not breaking, but keeping of covenant.

7. And for the other instance of attaining sovereignty by rebellion, it is manifest that, though the event follow; yet because it cannot reasonably be expected, but rather the contrary, and because, by gaining it so, others are taught to gain the same in like manner, the attempt thereof is against reason. Justice therefore, that is to say, keeping of covenant, is a rule of reason by which we are forbidden to do anything destructive to our life, and consequently a law of nature.

8. There be some that proceed further and will not have the law of nature to be those rules which conduce to the preservation of man's life on earth, but [only] to the attaining of an eternal felicity after death, to which [felicity] they think the breach of covenant may conduce and consequently be just and reasonable; such are they that think it a work of merit to kill or depose or [74] rebel against the sovereign power constituted over them by their own consent. But because there is no natural knowledge of man's estate after death, much less of the reward that is then to be given to breach of faith, but only a belief grounded upon other men's saying that they know it supernaturally or that they know those that knew them that knew others that knew it supernaturally, breach of faith cannot be called a precept of reason or nature.

Covenants not discharged by the vice of the person to whom they are made.

9. Others, that allow for a law of nature the keeping of faith, do nevertheless make exception of certain persons, [such] as heretics, and such as use not to[3] perform their covenant to others; and this also is against reason. For if any fault of a man be sufficient to discharge our covenant made, the same ought in reason to have been sufficient to have hindered the making of it.

Justice of men, & justice of actions what.

10. The names of *just* and *unjust*, when they are attributed to men, signify one thing, and, when they are attributed to actions, another. When they are attributed to men, they signify conformity or inconformity of manners to reason. But when they are attributed to action they signify the conformity or inconformity to reason, not of manners, or manner of life, but of particular actions. A just man therefore is he that takes all the care he can that his actions may be all just; and an unjust man is he that neglects it. And such men are more often in our language styled by the names of righteous and unrighteous than

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[1] *notwithstanding ... reckoned on* As far as one can tell in advance.

[2] *forbear* Put up with.

[3] *use not to* Commonly do not.

just and unjust though the meaning be the same. Therefore a righteous man does not lose that title by one or a few unjust actions that proceed from sudden passion or mistake of things or persons; nor does an unrighteous man lose his character for such actions as he does or forbears to do for fear, because his will is not framed by the justice, but by the apparent benefit of what he is to do. That which gives to human actions the relish[1] of justice is a certain nobleness or gallantness of courage, rarely found, by which a man scorns to be beholding for the contentment of his life to fraud or breach of promise. This justice of the manners[2] is that which is meant where justice is called a virtue; and injustice, a vice.

11. But the justice of actions denominates men, not just, but guiltless; and the injustice of the same (which is also called injury) gives them but the name of guilty.[3]

Justice of manners and justice of actions.

12. Again, the injustice of manners is the disposition or aptitude to do injury, and is injustice before it proceed to act and without supposing any individual person injured. But the injustice of an action (that is to say, injury) supposes an individual person injured; namely him to whom the covenant was made; and therefore many times the injury is received by one man when the damage redounds to another. As when the master commands his servant to give money to a stranger; if it be not done, the injury is done to the master, whom he had before covenanted to obey; but the damage redounds to the stranger, to whom he had no obligation, and therefore could not injure [75] him. And so also in commonwealths private men may remit to one another their debts,[4] but not robberies or other violences, whereby they are endamaged,[5] because the detaining[6] of debt is an injury to themselves; but robbery and violence are injuries to the person of the commonwealth.

Nothing done to a man by his own consent can be injury.

13. Whatsoever is done to a man, conformable to his own will signified to the doer, is not injury to him. For if he that does it has not passed away his original right to do what he please by some antecedent covenant, there is no breach of covenant, and therefore no injury done him. And if he have, then his will to have it done, being signified, is a release of that covenant, and so again there is no injury done him.

Justice commutative and distributive.

14. Justice of actions is by writers[7] divided into *commutative* and *distributive*; and the former they say consists in proportion arithmetical; the latter in proportion geometrical. Commutative, therefore, they place in the equality of value of the things contracted for; and distributive, in the distribution of equal benefit to men of equal merit. As if it were injustice to sell dearer than we buy, or to give more to a man than he merits. The value of all things contracted for is measured by the appetite[8] of the contractors, and therefore the just value is that which they be contented to give. And merit (besides that which is by covenant, where the performance on one part merits the performance of the other part, and falls under justice commutative, not distributive) is not due by justice, but is rewarded of[9] grace only. And therefore this distinction, in the sense wherein it uses to be expounded, is not right. To speak properly, commutative justice is the justice of a contractor; that is, a performance of covenant in buying and selling, hiring and letting to hire, lending and borrowing, exchanging, bartering, and other acts of contract.

15. And distributive justice [is] the justice of an arbitrator, that is to say, the act of defining what is just. Wherein, being trusted by them that make him arbitrator, if he perform his trust, he is said to distribute to every man his own; and this is indeed just distribution, and may be called, though improperly, distributive justice, but more

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[1] *relish* Savor.

[2] *manners* Customary conduct.

[3] *But the justice ... of guilty* The fact that an action is just doesn't make the person who did it just—it merely makes him guiltless in this case; and an unjust action (an injury) makes him be called guilty.

[4] *remit to one another their debts* Let the debtor off from his debt.

[5] *endamaged* Harmed.

[6] *detaining* Non-payment.

[7] *writers* Aristotle, Aquinas, and others.

[8] *appetite* Desires.

[9] *rewarded of* Rewarded by.

properly equity, which also is a law of nature, as shall be shown in due place.

The fourth law of nature, gratitude.

16. As justice depends on antecedent covenant, so does Gratitude depend on antecedent grace, that is to say, antecedent free gift, and is the fourth law of nature, which may be conceived in this form: *that a man which receives benefit from* [76] *another of mere grace endeavor that he which gives it have no reasonable cause to repent him of*[1] *his good will.* For no man gives but with intention of good to himself, because gift is voluntary; and of all voluntary acts, the object is to every man his own good; of which, if men see [that] they shall be frustrated, there will be no beginning of benevolence or trust, nor consequently of mutual help, nor of reconciliation of one man to another; and therefore they are to remain still in the condition of *war*, which is contrary to the first and fundamental law of nature which commands men to *seek peace*. The breach of this law is called *ingratitude* and has the same relation to grace that injustice has to obligation by covenant.

The fifth, mutual accommodation or complaisance.

17. A fifth law of nature is Complaisance; that is to say, *that every man strive to accommodate himself to the rest.* For the understanding whereof we may consider that there is in men's aptness to society a diversity of nature, rising from their diversity of affections, not unlike to that we see in stones brought together for building of an edifice. For as that stone which by the asperity[2] and irregularity of figure takes more room from others than itself fills, and for hardness cannot be easily made plain,[3] and thereby hinders the building, is by the builders cast away as unprofitable and troublesome; so also, a man that by asperity of nature will strive to retain those things which to himself are superfluous and to others necessary, and for the stubbornness of his passions cannot be corrected, is to be left or cast out of society as cumbersome thereunto. For seeing every man, not only by right, but also by necessity of nature, is supposed to endeavor all he can to obtain that which is necessary for his conservation, he that shall oppose himself against it for things superfluous is guilty of the war that thereupon is to follow, and therefore does that which is contrary to the fundamental law of nature, which commands *to seek peace*. The observers of this law may be called Sociable, (the Latins call them *commodi*); the contrary, *stubborn, insociable, forward, intractable*.

The sixth, facility to pardon.

18. A sixth law of nature is this: *that upon caution of the future time,*[4] *a man ought to pardon the offences past of them that, repenting, desire it.* For Pardon is nothing but granting of peace, which though granted to them that persevere in their hostility, be not peace, but fear; yet not granted to them that give caution of the future time is sign of an aversion to peace and therefore contrary to the law of nature.

The seventh, that in revenges men respect on the future good.

19. A seventh is, *that in revenges* (that is, retribution of evil for evil), *men look not at the greatness of the evil past, but the greatness of the good to follow.* Whereby we are forbidden to inflict punishment with any other design than for correction of the offender or direction of others. For this law is consequent to the next before it,[5] that commands pardon upon security of the future time. Besides, revenge without respect to the example and profit to come is a triumph or glorying in the hurt of another, tending to no end (for the end is always somewhat to come[6]); and glorying to no end is vain-glory and contrary to reason; and to hurt without reason tends to the introduction of war, which is against the law of nature, and is commonly styled by the name of *cruelty*.

The eighth, against contumely.[7]

20. And because all signs of hatred or contempt provoke to fight, insomuch as most men choose rather to hazard their life than not to be revenged, we may in the eighth place, for a law of nature, set down this precept; *that no man by deed, word, countenance, or gesture, declare hatred or contempt of another.* The breach of which law is commonly called *contumely*.

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[1] *repent him of* Regret.

[2] *asperity* Sharpness.

[3] *plain* Smooth.

[4] *upon caution of the future time* Being careful with a view to the future.

[5] *is consequent to the next before it* Follows from the previous one.

[6] *somewhat to come* Something in the future.

[7] *contumely* Gratuitous insult.

The ninth, against pride. [77]

21. The question who is the better man has no place in the condition of mere nature, where (as has been shown before) all men are equal. The inequality that now is has been introduced by the laws civil. I know that Aristotle in the first book of his *Politics*,[1] for a foundation of his doctrine, makes men by nature, some more worthy to command, meaning the wiser sort, such as he thought himself to be for his philosophy; others to serve, meaning those that had strong bodies, but were not philosophers as he, as master and servant were not introduced by consent of men, but by difference of wit;[2] which is not only against reason, but also against experience. For there are very few so foolish that had not rather govern themselves than be governed by others; nor when the wise, in their own conceit, contend by force with them who distrust their own wisdom, do they always, or often, or almost at any time, get the victory.[3] If nature therefore have made men equal, that equality is to be acknowledged; or if nature have made men unequal, yet because men that think themselves equal will not enter into conditions of peace, but upon equal terms, such equality must be admitted. And therefore for the ninth law of nature, I put this, *that every man acknowledge another for his equal by nature*. The breach of this precept is *pride*.

The tenth, against arrogance.

22. On this law depends another, that at the entrance into conditions of peace, no man require to reserve to[4] himself any right which he is not content should be reserved to every one of the rest. As it is necessary for all men that seek peace to lay down certain rights of nature, that is to say, not to have liberty to do all they list,[5] so is it necessary for man's life to retain some, as right to govern their own bodies, enjoy air, water, motion, ways to go from place to place, and all things else without which a man cannot live or not live well. If in this case, at the making of peace, men require for themselves that which they would not have to be granted to others, they do contrary to the precedent law that commands the acknowledgement of natural equality, and therefore also against the law of nature. The observers of this law are those we call modest, and the breakers arrogant men. The Greeks call the violation of this law pleonexia, that is, a desire of more than their share.

The eleventh, equity.

23. Also, if *a man be trusted to judge between man and man*, it is a precept of the law of nature *that he deal equally between them*. For without that, the controversies of men cannot be determined but by war. He therefore that is partial[6] in judgment does what in him lies to deter men from the use of judges and arbitrators, and consequently (against the fundamental law of nature) is the cause of war.

24. The observance of this law, from the equal distribution to each man of that which in reason belonged to him, is called Equity, and (as I have said before) distributive justice; the violation, *acception of persons, prosopolepsia*.[7]

The twelfth, equal use of things common.

25. And from this follows another law: that such things as cannot be divided be enjoyed in common, if it can be; and if the quantity of the thing permit, without stint;[8] otherwise proportionably to the number of them that have right. For otherwise the distribution is unequal, and contrary to equity.

The thirteenth, of lot. [78]

26. But some things there be that can neither be divided nor enjoyed in common. Then, the law of nature which prescribes equity requires, *that the entire right, or else (making the use alternate) the first possession, be determined by lot*.[9] For equal distribution is of the law of nature; and other means of equal distribution cannot be imagined.

The fourteenth, of primogeniture, and first seizing.

27. Of *lots* there be two sorts, *arbitrary* and *natural*. Arbitrary is that which is agreed on by the competitors; natural is either *primogeniture*[10] (which the Greek calls *klerovomia*, which signifies, *given by lot*) or *first seizure*.

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[1] *the first book of his Politics* Book 1, 3–7.

[2] *wit* Intellect.

[3] *do they … the victory* They (those who think themselves wise) don't always, don't often, almost never win.

[4] *reserve to* Keep for.

[5] *list* Desire.

[6] *partial* Biased.

[7] *acception of persons, prosopolepsia* Both mean *favoritism*.

[8] *stint* Restriction.

[9] *lot* Lottery.

[10] *primogeniture* Being first-born.

28. And therefore those things which cannot be enjoyed in common, nor divided, ought to be adjudged to the first possessor; and in some cases to the first born, as acquired by lot.

The fifteenth, of mediators.

29. It is also a law of nature, *that all men that mediate peace be allowed safe conduct.* For the law that commands peace, as the *end*, commands intercession,[1] as the *means*; and to intercession the means is safe conduct.

The sixteenth, of submission to arbitrement.[2]

30. And because, though men be never so willing to observe these laws, there may nevertheless arise questions concerning a man's action; first, whether it were done or not done; secondly, if done, whether against the law or not against the law; the former whereof is called a question *of fact*, the latter a question *of right*; therefore unless the parties to the question covenant mutually to stand to the sentence[3] of another, they are as far from peace as ever. This other, to whose sentence they submit, is called an Arbitrator. And therefore it is of the law of nature *that they that are at controversy submit their right to the judgment of an arbitrator.*

The seventeenth, no man is his own judge.

31. And seeing every man is presumed to do all things in order to his own benefit, no man is a fit arbitrator in his own cause; and if he were never so fit,[4] yet equity allowing to each party equal benefit, if one be admitted to be judge, the other is to be admitted also; and so the controversy, that is, the cause of war, remains, against the law of nature.

The eighteenth, no man is to be judge that has in him a natural cause of partiality.

32. For the same reason no man in any cause ought to be received for arbitrator to whom greater profit or honor or pleasure apparently arises out of the victory of one party than of the other, for he has taken (though an unavoidable bribe, yet) a bribe; and no man can be obliged to trust him. And thus also the controversy and the condition of war remains, contrary to the law of nature.

The nineteenth, of witnesses.

33. And in a controversy of *fact*, the judge being to give no more credit to one than to the other,[5] if there be no other arguments, must give credit to a third; or to a third and fourth; or more, for else the question is undecided, and left to force, contrary to the law of nature.

34. These are the laws of nature, dictating peace, for a means of the conservation of men in multitudes; and which only concern the doctrine of civil society. There be other things tending to the destruction of particular men, as drunkenness, and all other parts of intemperance, which may therefore also be reckoned amongst those things which the law of nature has forbidden, but are not necessary to be mentioned, nor are pertinent enough to this place. [79]

A rule by which the laws of nature may easily be examined.

35. And though this may seem too subtle a deduction of the laws of nature to be taken notice of by all men, whereof the most part are too busy in getting food, and the rest too negligent to understand; yet to leave all men inexcusable, they have been contracted into one easy sum, intelligible even to the meanest capacity; and that is: *Do not that to another which thou wouldest not have done to thyself*; which shows him that he has no more to do in learning the laws of nature but, when weighing the actions of other men with his own they seem too heavy, to put them into the other part of the balance, and his own into their place, that his own passions and self-love may add nothing to the weight; and then there is none of these laws of nature that will not appear unto him very reasonable.

The laws of nature oblige in conscience always, but in effect then only where there is security.

36. The laws of nature oblige *in foro interno*, that is to say, they bind to a desire they should take place; but *in foro externo*;[6] that is, to the putting them in act, not always. For he that should be modest and tractable, and perform all he promises in such time and place where no man else should do so, should but make himself a prey to others, and procure his own certain ruin, contrary to the ground of all laws of nature which tend to nature's

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[1] *intercession* Pleading on behalf of another.

[2] *arbitrement* Arbitration.

[3] *stand to the sentence* Abide by the judgment.

[4] *if he were never so fit* Even if he were fit [to judge his own cause].

[5] *being to ... the other* Should not give more credence to one side than to the other.

[6] *in foro interno ... in foro externo* Latin: literally, *before the internal court / before the external court.* The usual meaning of these terms is that the "internal court" is the voice of one's conscience, and the "external court" is the judgment of other people or the law court.

preservation. And again, he that having sufficient security that others shall observe the same laws towards him, observes them not himself, seeks not peace, but war, and consequently the destruction of his nature by violence.

37. And whatsoever laws bind *in foro interno* may be broken, not only by a fact[1] contrary to the law, but also by a fact according to it, in case a man think it contrary. For though his action in this case be according to the law; yet his purpose was against the law; which, where the obligation is *in foro interno*, is a breach.

The laws of nature are eternal;

38. The laws of nature are immutable and eternal, for injustice, ingratitude, arrogance, pride, iniquity, acception of persons, and the rest can never be made lawful. For it can never be that war shall preserve life, and peace destroy it.

And yet easy.

39. The same laws, because they oblige only to a desire and endeavor, mean an unfeigned and constant endeavor, are easy to be observed. For in that they require nothing but endeavor, he that endeavors their performance fulfils them; and he that fulfils the law is just.

The science of these laws is the true moral philosophy.

40. And the science of them is the true and only moral philosophy. For moral philosophy is nothing else but the science of what is *good* and *evil* in the conversation [interactions] and society of mankind. *Good* and *evil* are names that signify our appetites and aversions, which in different tempers, customs, and doctrines of men are different; and divers men differ not only in their judgment on the senses of what is pleasant and unpleasant to the taste, smell, hearing, touch, and sight; but also of what is conformable or disagreeable to reason in the actions of common life. Nay, the same man, in divers times, differs from himself; and one time praises, that is, calls *good*, what another time he dispraises, and calls *evil*. From whence arise disputes, controversies, and at [80] last war. And therefore so long as a man is in the condition of mere nature (which is a condition of war), as private appetite is the measure of good and evil; and consequently all men agree on this, that peace is good, and therefore also the way or means of peace, which (as I have shown before) are *justice*, *gratitude*, *modesty*, *equity*, *mercy*, and the rest of the laws of nature, are good; that is to say, *moral virtues*; and their contrary *vices*, evil. Now the science of virtue and vice is moral philosophy; and therefore the true doctrine of the laws of nature is the true moral philosophy. But the writers of moral philosophy, though they acknowledge the same virtues and vices; yet, not seeing wherein consisted their goodness, nor that they come to be praised as the means of peaceable, sociable, and comfortable living, place them in a mediocrity of[2] passions, as if not the cause, but the degree of daring, made fortitude, or not the cause, but the quantity of a gift, made liberality.

41. These dictates of reason men use to call by the name of laws, but improperly; for they are but conclusions or theorems concerning what conduces to the conservation and defense of themselves; whereas law, properly, is the word of him that by right has command over others. But yet if we consider the same theorems as delivered in the word of God that by right commands all things, then are they properly called *laws*.

Chapter 16: Of Persons, Authors, and Things Personated

A person what.

1. A person is he *whose words or actions are considered, either as his own, or as representing the words or actions of another man,*[3] *or of any other thing to whom they are attributed, whether truly or by fiction.*

Person natural, and artificial.

2. When they are considered as his own, then is he called a *natural person*; and when they are considered as representing the words and actions of another, then is he a *feigned* or *artificial* person.

The word *person*, whence.

3. The word person is Latin, instead whereof the Greeks have *prosopon*, which signifies the *face*, as *persona* in Latin signifies the *disguise* or

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[1] *a fact* An action.

[2] *in a mediocrity of* Among medium-strength.

[3] *as representing ... another man* The proviso that an entity can be considered a person when its words and actions represent those of another person is placed here because Hobbes wants to consider the state as a person—and its words and actions represent the people in it.

outward appearance of a man, counterfeited on the stage; and sometimes more particularly that part of it which disguises the face, as a mask or vizard;[1] and from the stage has been translated to any representer of speech and action, as well in tribunals as theaters. So that a *person* is the same that an *actor* is, both on the stage and in common conversation; and to *personate* is to *act* or *represent* himself or another; and he that acts another is said to bear his person or act in his name (in which sense Cicero uses it where he says, *Unus sustineo tres personas: mei, adversarii, et judicis*;[2] I bear three persons: my own, my adversary's, and the judge's), and is called in divers occasions, [81] diversely, as a *representer*, or *representative*, a *lieutenant*, a *vicar*, an *attorney*, a *deputy*, a *procurator*, an *actor*, and the like.

Actor, author.

4. Of persons artificial, some have their words and actions *owned*[3] by those whom they represent. And then the person is the *actor*; and he that owns his words and actions is the Author, in which case the actor acts by authority. For that which in speaking of goods and possessions is called an *owner*, and in Latin *dominus* in Greek *kurios*; speaking of actions, is called author. And as the right of possession is called dominion, so the right of doing any action is called Authority and sometimes *warrant*. So that by authority is always understood a right of doing any act; and *done by authority*, done by commission or license from him whose right it is.

Authority.

Covenants by authority bind the author.

5. From hence it follows that when the actor makes a covenant by authority, he binds thereby the author no less than if he had made it[4] himself, and no less subjects him to all the consequences of the same. And therefore all that has been said formerly (Chapter 14) of the nature of covenants between man and man in their natural capacity is true also when they are made by their actors, representers, or procurators, that have authority from them, so far forth as is in their commission, but no further.

6. And therefore he that makes a covenant with the actor, or representer, not knowing the authority he hath, does it at his own peril. For no man is obliged by a covenant whereof he is not author, nor consequently by a covenant made against or beside the authority he gave.

But not the actor.

7. When the actor does anything against the law of nature by command of the author, if he be obliged by former covenant to obey him, not he, but the author breaks the law of nature, for though the action be against the law of nature, yet it is not his; but, contrarily, to refuse to do it is against the law of nature that forbids breach of covenant.

The authority is to be shown.

8. And he that makes a covenant with the author by mediation of the actor, not knowing what authority he has, but only takes his word, in case such authority be not made manifest unto him upon demand, is no longer obliged; for the covenant made with the author is not valid without his [the author's] counter-assurance. But if he that so covenants knew beforehand he was to expect no other assurance than the actor's word, then is the covenant valid, because the actor in this case makes himself the author. And therefore, as when the authority is evident, the covenant obliges the author, not the actor, so when the authority is feigned, it obliges the actor only, there being no author but himself.

Things personated, inanimate.

9. There are few things that are incapable of being represented by fiction. Inanimate things, as a church, a hospital, a bridge, may be personated by a rector, master, or overseer. But things inanimate cannot be authors, nor therefore give authority to their actors. Yet the actors may have authority to procure their maintenance, given them by those that are owners or governors of [82] those things. And therefore such things cannot be personated before there be some state of civil government.

Irrational.

10. Likewise children, fools, and madmen that have no use of reason may be personated by guardians or curators, but can be no authors during that time of any action done by them, longer than (when they shall recover the use of reason) they shall judge the same reasonable. Yet during the folly he that has right of governing them may

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[1] *vizard* Visor.

[2] *Unus sustineo ... et judicis* Cicero, *De oratore* (*On the Orator*, 55 BCE) 2.102.

[3] *owned* Identified as their own.

[4] *had made it* Said those words.

give authority to the guardian. But this again has no place but in a state civil, because before such estate there is no dominion of persons.

11. An idol or mere figment of the brain may be personated, as were the gods of the heathen, which, by such officers as the state appointed, were personated and held possessions and other goods and rights, which men from time to time dedicated and consecrated unto them. But idols cannot be authors; for an idol is nothing. The authority proceeded from the state; and therefore before introduction of civil government the gods of the heathen could not be personated.

False gods.

12. The true God may be personated.[1] As he was, first, by Moses, who governed the Israelites (that were not his, but God's people), not in his own name (with *hoc dicit Moses* [*thus Moses says*], but in God's name, with (*hoc dicit Dominus* [*thus the Lord says*]). Secondly, by the Son of Man, his own son, our blessed Savior Jesus Christ, that came to reduce[2] the Jews and induce all nations into the kingdom of his Father; not as of himself, but as sent from his Father. And thirdly, by the Holy Ghost or Comforter, speaking and working in the Apostles; which Holy Ghost was a Comforter that came not of himself, but was sent and proceeded from them both on the day of Pentecost.

The true God.

13. A multitude of men are made *one* person when they are by one man, or one person, represented, so that it be done with the consent of every one of that multitude in particular. For it is the *unity* of the representer, not the *unity* of the represented, that makes the person *one*. And it is the representer that bears the person, and but one person; and *unity* cannot otherwise be understood in multitude.

A multitude of men, how one person.

14. And because the multitude naturally is not *one*, but *many*, they cannot be understood for one, but in any authors, of everything their representative says or does in their name, every man giving their common representer authority from himself in particular, and owning all the actions the representer does, in case they give him authority without stint; otherwise, when they limit him in what, and [in] how far, he shall represent them, none of them owns more than they gave him commission to act.

Every one is author.

15. And if the representative consist of many men, the voice of the greater number must be considered as the voice of them all. For if the lesser number pronounce (for example) in the affirmative, and the greater in the negative, there will be negatives more than enough to destroy the affirmatives; and thereby the excess of negatives, standing uncontradicted, are the only voice the representative hath.

An actor may be many men made one by plurality of voices.

[83]

16. And a representative of even number, especially when the number is not great, whereby the contradictory voices are oftentimes equal, is therefore oftentimes mute and incapable of action. Yet in some cases contradictory voices, equal in number, may determine a question (as [for example] in condemning or absolving, equality of votes, even in that they condemn not, do absolve) but not on the contrary condemn, in that they absolve not. For when a cause is heard, not to condemn is to absolve; but on the contrary to say that not absolving is condemning is not true. The like it is in deliberation of executing[3] presently or deferring till another time; for when the voices are equal, the not decreeing execution is a decree of dilation.[4]

Representatives, when the number is even, unprofitable.

17. Or if the number be odd, as three or more men or assemblies, whereof every one has, by a negative voice, authority to take away the effect of all the affirmative voices of the rest, this number is no representative; by the diversity of opinions and interests of men, it becomes oftentimes, and in cases of the greatest consequence, a mute person and unapt, as for many things else, so for the government of a multitude, especially in time of war.

Negative voice.

18. Of authors there be two sorts. The first simply so called, which I have before defined to

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[1] *The true God may be personated* This passage is Hobbes' attempt to support the idea of the Trinity—the idea that God is three persons in one: God is one person insofar as Moses "personated" God—speaks for God, representing God as the source of his words and deeds; a second person as "personated" by Jesus, and a third as "personated" by the apostles.

[2] *reduce* Lead back, restore.

[3] *executing* Doing something.

[4] *dilation* Delaying.

be him that owns the action of another simply. The second is he that owns an action or covenant of another conditionally; that is to say, he undertakes to do it, if the other does it not, at or before a certain time. And these authors conditional are generally called Sureties, in Latin, *fidejussores* and *sponsores*; and particularly for debt, *praedes*; and for appearance before a judge or magistrate, *vades*.

Part 2: Of Commonwealth

[...]

Chapter 17: Of the Causes, Generation, and Definition of a Commonwealth

The end of commonwealth, particularly security.

1. The final cause, end, or design of men (who naturally love liberty, and dominion over others) in the introduction of that restraint upon themselves (in which we see them live in commonwealths) is the foresight [prospect] of their own preservation and of a more contented life thereby, that is to say, of getting themselves out from that miserable condition of war which is necessarily consequent (as has been shown[1]) to the natural passions of men, when there is no visible power to keep them in awe and tie them by fear of punishment to the performance of their covenants and observation of those laws of nature set down in the fourteenth and fifteenth chapters. Chap 13.

Which is not to be had from the law of nature.

2. For the laws of nature (as *justice, equity, modesty, mercy*, and, in sum, *doing to others as we would be done to*) of themselves, without the terror of some power to cause them to be observed, are contrary to our natural passions that carry us to partiality, pride, revenge, and the like. And covenants without the sword are but words and of no strength to secure a man at all. Therefore, notwithstanding the laws of nature (which every one has then kept, when he has the will to keep them, when he can do it safely), if there be no power erected or not great enough for our security, every man will and may lawfully rely on his own strength and art for caution against all other men. And in all places, where men have lived by small families, to rob and spoil[2] one another has been a trade, and so far from being reputed against the law of nature, that the greater spoils they gained, the greater was their honor; and men observed no other laws therein but the laws of honor, that is, to abstain from cruelty, leaving to men their lives and instruments of husbandry.[3] And as small families did then, so now do cities and kingdoms, which are but greater families[4] (for their own security), enlarge their dominions, upon all pretences of danger and fear of invasion or assistance that may be given to invaders, endeavor as much as they can to subdue or weaken their neighbors by open force and secret arts, for want of other caution, justly, and are remembered for it in after ages with honor.

Nor from the conjunction of a few men or families.

3. Nor is it the joining together of a small number of men that gives them this security, because in small numbers, small additions on the one side or the other make the advantage of strength so great as is sufficient to carry the victory, and therefore gives encouragement to an invasion. The multitude sufficient to confide in for our security is not determined by any certain [86] number, but by comparison with the enemy we fear; and [it] is then sufficient, when the odds of the enemy is not of so visible and conspicuous moment, to determine the event of war, as to move him to attempt.

Not from a great multitude, unless directed by one judgment.

4. And be there never so great[5] a multitude; yet if their actions be directed according to their particular judgments and particular appetites, they can expect thereby no defense nor protection, neither against a common enemy nor against the injuries of one another. For being distracted in opinions concerning the best use and application of their strength, they do not help but hinder one another; and [they] reduce their strength by

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[1] *as has been shown* See Chapter 13.

[2] *rob and spoil* Strip of possessions by force.

[3] *husbandry* Farming.

[4] *cities and kingdoms ... greater families* Compare 20.15, which seems inconsistent with this passage. One way to make Hobbes' doctrine consistent is to maintain that when a family is big enough to withstand raids from others (and when the members have covenanted to make one or more members the sovereign), then a family is a commonwealth, and not otherwise.

[5] *be there never so great* However great.

mutual opposition to nothing, whereby they are easily not only subdued by a very few that agree together, but also, when there is no common enemy, they make war upon each other for their particular interests. For if we could suppose a great multitude of men to consent in the observation of justice and other laws of nature, without a common power to keep them all in awe, we might as well suppose all mankind to do the same; and then there neither would be nor need to be any civil government or commonwealth at all, because there would be peace without subjection.

And that continually.

5. Nor is it enough for the security which men desire should last all the time of their life, that they be governed and directed by one judgment for a limited time, as in one battle or one war. For though they obtain a victory by their unanimous endeavor against a foreign enemy; yet afterwards, when either they have no common enemy, or he that by one part is held for an enemy is by another part held for a friend, they must needs by the difference of their interests dissolve and fall again into a war amongst themselves.

Why certain creatures without reason or speech do nevertheless live in society, without any coercive power.

6. It is true that certain living creatures, as bees and ants, live sociably one with another (which are therefore by Aristotle[1] numbered amongst political creatures), and yet have no other direction than their particular judgments and appetites, nor [do they have] speech, whereby one of them can signify to another what he thinks expedient for the common benefit; and therefore some man may perhaps desire to know why mankind cannot do the same. To which I answer,

7. First, that men are continually in competition for honor and dignity, which these creatures are not; and consequently amongst men there arises on that ground envy and hatred and finally war; but amongst these not so.

8. Secondly, that amongst these creatures the common good differs not from the private; and being by nature inclined to their private, they procure thereby the common benefit. But man, whose joy consists in comparing himself with other men, can relish nothing but what is eminent.[2]

9. Thirdly, that these creatures, having not, as man, the use of reason, do not see, nor think they see, any fault in the administration of their common business; whereas amongst men there are very many that think themselves wiser and abler to govern the public better than the rest; [87] and these strive to reform and innovate, one this way, another that way, and thereby bring it into distraction and civil war.

10. Fourthly, that these creatures, though they have some use of voice in making known to one another their desires and other affections; yet they want that art of words by which some men can represent to others that which is good in the likeness of evil and evil in the likeness of good, and augment or diminish the apparent greatness of good and evil, discontenting men and troubling their peace at their pleasure.

11. Fifthly, irrational creatures cannot distinguish between *injury and damage*;[3] and therefore as long as they be at ease, they are not offended with their fellows; whereas man is then most troublesome when he is most at ease; for then it is that he loves to show his wisdom, and control the actions of them that govern the commonwealth.

12. Lastly, the agreement of these creatures is natural; that of men is by covenant only, which is artificial; and therefore it is no wonder if there be somewhat else required, besides covenant, to make their agreement constant and lasting, which is a common power to keep them in awe and to direct their actions to the common benefit.

The generation of a commonwealth.

13. The only way to erect such a common power as may be able to defend them from the invasion of foreigners and the injuries of one another, and thereby to secure them in such sort as that by their own industry and by the fruits of the earth they may nourish themselves and live contentedly, is to confer all their power and

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[1] *Aristotle* In *History of Animals* 1.1. His assertion about bees and ants (and wasps, cranes, and humans) is usually translated as saying that they are all social animals—creatures "such as have some one common object in view."

[2] *eminent* Conspicuous.

[3] *injury and damage* The difference is that the former is willfully inflicted.

strength[1] upon one man or upon one assembly of men, that may reduce all their wills by plurality of voices unto one will; which is as much as to say, to appoint one man or assembly of men to bear their person; and every one to own and acknowledge himself to be author of whatsoever he that so bears their person shall act or cause to be acted in those things which concern the common peace and safety; and therein to submit their wills, every one to his will, and their judgments to his judgment.[2] This is more than consent or concord; it is a real unity of them all in one and the same person, made by covenant of every man with every man in such manner as if every man should say to every man, *I authorize and give up my right of governing myself to this man, or to this assembly of men, on this condition: that thou give up thy right to him, and authorize all his actions in like manner.* This done, the multitude so united in one person is called a Commonwealth; in Latin, *Civitas.* This is the generation of that great Leviathan, or rather, to speak more reverently, of that *mortal god* to which we owe, under the *immortal God*, our peace and defense. For by this authority, given him by every particular man in the commonwealth, he has the use of so much [88] power and strength conferred on him that, by terror thereof, he is enabled to conform[3] the wills of them all to peace at home and mutual aid against their enemies abroad. And in him consists the essence of the commonwealth, which, to define it, is *one person, of whose acts a great multitude, by mutual covenants one with another, have made themselves every one the author, to the end he may use the strength and means of them all as he shall think expedient for their peace and common defense.*

The definition of a commonwealth.

Sovereign, and subject, what.

14. And he that carries this person is called Sovereign, and said to have *sovereign power*; and every one besides, his Subject.

15. The attaining to this sovereign power is by two ways. One, by natural force, as when a man makes his children to submit themselves and their children to his government, as being able to destroy them if they refuse, or by war subdues his enemies to his will, giving them their lives on that condition. The other is when men agree amongst themselves to submit to some man, or assembly of men, voluntarily, on confidence to be protected by him against all others. This latter may be called a political commonwealth or commonwealth by *institution*, and the former [may be called] a commonwealth by *acquisition*. And first, I shall speak of a commonwealth by institution.

Chapter 18: Of the Rights of Sovereigns by Institution

The act of instituting a commonwealth, what.

1. A *commonwealth* is said to be *instituted* when a *multitude* of men do agree and *covenant, every one with every one*, that to whatsoever *man* or *assembly of men* shall be given by the major part[4] the *right* to *present* the person of them all, that is to say, to be their *representative*, every one, as well he that *voted for it* as he that *voted against it*, shall *authorize* all the actions[5] and judgments of that man, or assembly of men, in the same manner as if they were his own, to the end to live peaceably amongst themselves and be protected against other men.

The consequences to such institutions, are:

2. From this institution of a commonwealth are derived all the *rights* and *faculties*[6] of him or them, on whom the sovereign power is conferred by the consent of the people assembled.[7]

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[1] *confer ... power and strength* If citizens confer all of their power and strength on the sovereign, it would appear that they would have none left for themselves.

[2] *to submit ... his judgment* Each person wills to will what the sovereign wills and to judge as the sovereign judges.

[3] *conform* Many editions have "conform," though there is some textual support for "form." "Conform" (shape according to a pattern) appears to make more sense.

[4] *the major part* Majority vote.

[5] *authorize all the actions* Perhaps an exaggeration. If a subject authorizes all of the sovereign's actions, then he would authorize the sovereign's killing or punishing of him, even though no one can ever lay down his right of self-preservation; though Hobbes sometimes says that a criminal punishes himself because he has authorized all of his sovereign's actions—see 18.3.

[6] *faculties* Powers.

[7] *on whom ... people assembled* The sovereign is the artificial person who governs his subjects. The sovereign

1. The subjects cannot change the form of government.

3. First, because they covenant, it is to be understood they are not obliged by former covenant to anything repugnant hereunto. And consequently they that have already instituted a commonwealth, being thereby bound by covenant to own the actions and judgments of one, cannot lawfully make a new covenant amongst themselves to be obedient to any other, in anything whatsoever, without his permission. And therefore, they that are subjects to a monarch cannot without his leave cast off monarchy and return to the confusion of a disunited multitude nor transfer their person from him that bears it to another man or other assembly of men;[1] for [89] they are bound, every man to every man, to own and be reputed author of all that he that already is their sovereign shall do and judge fit to be done; so that any one man dissenting, all the rest should break their covenant made to that man, which is injustice; and they have also every man given the sovereignty to him that bears their person; and therefore if they depose him, they take from him that which is his own, and so again it is injustice. Besides, if he that attempts to depose his sovereign be killed or punished by him for such attempt, he is author of his own punishment, as being, by the institution, author of all his sovereign shall do; and because it is injustice for a man to do anything for which he may be punished by his own authority, he is also upon that title unjust. And whereas some men have pretended for their disobedience to their sovereign a new covenant, made, not with men but with God, this also is unjust; for there is no covenant with God but by mediation of somebody that represents God's person, which none does but God's lieutenant who has the sovereignty under God.[2] But this pretence of covenant with God is so evident a lie, even in the pretenders' own consciences, that it is not only an act of an unjust, but also of a vile and unmanly disposition.

2. Sovereign power cannot be forfeited.

4. Secondly, because the right of bearing the person of them all is given to him [whom] they make sovereign by covenant only of one to another and not of him to any of them, there can happen no breach of covenant on the part of the sovereign;[3] and consequently none of his subjects, by any pretence of forfeiture, can be freed from his subjection. That he which is made sovereign makes no covenant with his subjects beforehand is manifest,[4] because either he must make it with the whole multitude, as one party to the covenant, or he must make a several[5] covenant with every man. With the whole, as one party, it is impossible, because as yet they are not one person; and if he make so many several covenants as there be men, those covenants after he has the sovereignty are void, because what act soever can be pretended[6] by any one of them for breach thereof is the act both of himself and of all the rest, because done in the person and by the right of every one of them in particular. Besides, if any one or more of them pretend a breach of the covenant made by the sovereign at his institution, and others or one other of his subjects or himself alone pretend there was no such breach, [then] there is in this case no judge to decide the controversy, [and] it returns therefore to the sword again, and every man recovers the right of protecting himself by his own strength, contrary to the design they had in the institution. It is therefore in vain to grant sovereignty by way of precedent[7] covenant. The opinion that any monarch receives his power by covenant, that is to say, on condition, proceeds

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is a single human being in a monarchy. In an aristocracy, the sovereign is the group of people who rule. In a democracy, the sovereign is the entire citizenry, considered as a unity, not in the multiplicity of each subject.

[1] *nor transfer ... of men* Hobbes is probably criticizing the Scots, who in the National Covenant (1638) made a covenant that appeared to supersede one that Hobbes thought they already had with the king; and criticizing the English who, with the Scots, did the same in the Solemn League and Covenant (1643).

[2] *some men ... under God* See previous note.

[3] *there can ... the sovereign* The sovereign is not a party of the covenant, as Hobbes says in the next sentence.

[4] *That he ... is manifest* King James I wrote, "I deny any such contract to be made [between the king and the people]" ("The Trew Law of Free Monarchies," 1598).

[5] *a several* An individual.

[6] *pretended* Put forth.

[7] *precedent* Pre-existing.

from want of understanding this easy truth: that covenants being but words and breath, have no force to oblige, contain, constrain, or protect any man, but what it has from the public sword, that is, from the untied hands of that man or assembly of men that has the sovereignty, and whose actions [90] are avouched[1] by them all, and performed by the strength of them all in him united. But when an assembly of men is made sovereign, then no man imagines any such covenant to have passed in the institution; for no man is so dull as to say, for example, the people of Rome made a covenant with the Romans to hold the sovereignty on such or such conditions, which not performed, the Romans might lawfully depose the Roman people. That men see not the reason to be alike in a monarchy and in a popular government proceeds from the ambition of some that are kinder to the government of an assembly, whereof they may hope to participate, than of monarchy, which they despair to enjoy.

3. No man can without justice protest against the institution of the sovereign declared by the major part.

5. Thirdly, because the major part[2] has by consenting voices declared a sovereign, he that dissented must now consent with the rest, that is, be contented to avow [accept] all the actions he [the sovereign] shall do, or else justly be destroyed by the rest. For if he voluntarily entered into the congregation of them that were assembled, [then] he sufficiently declared thereby his will and therefore tacitly covenanted to stand to what the major part should ordain; and therefore if he refuse to stand thereto or make protestation against any of their decrees, [then] he does contrary to his covenant and therefore unjustly. And whether he be of the congregation or not and whether his consent be asked or not, he must either submit to their decrees or be left in the condition of war he was in before, wherein he might without injustice be destroyed by any man whatsoever.

4. The sovereign's actions cannot be justly accused by the subject.

6. Fourthly, because every subject is by this institution author of all the actions and judgments of the sovereign instituted, it follows that whatsoever he does can be no injury to any of his subjects nor ought he to be by any of them accused of injustice. For he that does anything by authority from another does therein no injury to him by whose authority he acts; but by this institution of a commonwealth every particular man is author of all the sovereign does; and consequently he that complains of injury from his sovereign complains of that whereof he himself is author; and therefore [he] ought not to accuse any man but himself; no, nor himself, of injury, because to do injury to oneself is impossible. It is true that they that have sovereign power may commit iniquity, but not injustice or injury[3] in the proper signification.

5. Whatsoever the sovereign does is unpunishable by the subject.

7. Fifthly, and consequently to that which was said last, no man that has sovereign power can justly be put to death or otherwise in any manner by his subjects punished. For seeing every subject is author of the actions of his sovereign, he punishes another for the actions committed by himself.

6. The sovereign is judge of what is necessary for the peace and defense of his subjects.

8. And because the end of this institution is the peace and defense of them all, and whosoever has right to the end has right to the means, it belongs of right to whatsoever man or assembly that has the sovereignty to be judge both of the means of peace and defense and also of the hindrances and disturbances of the same; and to do whatsoever he shall think necessary to be done, both beforehand, for the preserving of peace and security, by prevention of discord at home, and [91] hostility from abroad; and when peace and security are lost, for the recovery of the same. And therefore,

And judge of what doctrines are fit to be taught them.

9. Sixthly, it is annexed to the sovereignty to be judge of what opinions and doctrines are averse, and what [opinions and doctrines are] conducing to peace; and consequently on what occasions, how far, and what men are to be trusted withal in speaking to multitudes of people, and who shall examine the doctrines of all books before they be published. For the actions of men

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[1] *avouched* Taken responsibility for.

[2] *major part* Majority.

[3] *injustice or injury* Hobbes is playing on the etymology of the Latin word for "right," *jus* (genitive *juris*). Injustice and injury is what is done without *jus* because the wrongdoer has laid down or given up his *jus*. *Iniquity* is merely harm done; the word comes from the Latin "*in + aequus*": not equal.

proceed from their opinions, and in the well governing of opinions consists the well governing of men's actions in order to their peace and concord. And though in matter of doctrine nothing ought to be regarded but the truth; yet this is not repugnant to regulating of the same by peace. For doctrine repugnant to peace can no more be true than peace and concord can be against the law of nature. It is true that in a commonwealth, where by the negligence or unskillfulness of governors and teachers false doctrines are by time generally received, the contrary truths may be generally offensive. Yet the most sudden and rough bustling in of a new truth that can be does never break the peace, but only sometimes awake the war. For those men that are so remissly governed that they dare take up arms to defend or introduce an opinion are still in war; and their condition not peace, but only a cessation of arms for fear of one another; and they live, as it were, in the precincts of battle continually. It belongs therefore to him that has the sovereign power to be judge, or constitute all judges of opinions and doctrines, as a thing necessary to peace, thereby to prevent discord and civil war.

7. The right of making rules, whereby the subjects may every man know what is so his own, as no other subject can without injustice take it from him.

10. Seventhly, is annexed to the sovereignty the whole power of prescribing the rules whereby every man may know what goods he may enjoy and what actions he may do without being molested by any of his fellow subjects; and this is it men call *propriety* [*property*]. For before constitution of sovereign power, as has already been shown, all men had right to all things, which necessarily causes war; and therefore this propriety, being necessary to peace and depending on sovereign power, is the act of that power, in order to the public peace. These rules of propriety (or *meum* and *tuum*[1]) and of *good*, *evil*, *lawful*, and *unlawful* in the actions of subjects are the civil laws, that is to say, the laws of each commonwealth in particular; though the name of civil law be now restrained to the ancient civil laws of the city of Rome, which being the head of a great part of the world, her laws at that time were in these parts the civil law.

8. To him also belongs the right of judicature and decision of controversy.

11. Eighthly, is annexed to the sovereignty the right of judicature, that is to say, of hearing and deciding all controversies which may arise concerning law, either civil or natural, or concerning fact. For without the decision of controversies there is no protection of one subject against the injuries of another, the laws concerning *meum* and *tuum* are in vain, and to every man remains, from the natural and necessary appetite of his own conservation, the right of protecting himself by his private strength, which is the condition of war and contrary to the end for which every commonwealth is instituted. [92]

9. And of making war, and peace, as he shall think best.

12. Ninthly, is annexed to the sovereignty the right of making war and peace with other nations and commonwealths, that is to say, of judging when it is for the public good, and how great forces are to be assembled, armed, and paid for that end, and to levy money upon the subjects to defray the expenses thereof. For the power by which the people are to be defended consists in their armies, and the strength of an army in the union of their strength under one command; which command the sovereign instituted, therefore has, because the command of the *militia*, without other institution, makes him that has it sovereign. And therefore, whosoever is made general of an army, he that has the sovereign power is always generalissimo.[2]

10. And of choosing all counselors and ministers, both of peace and war.

13. Tenthly, is annexed to the sovereignty the choosing of all counselors, ministers, magistrates, and officers, both in peace and war. For seeing the sovereign is charged with the end, which is the common peace and defense, he is understood to have power to use such means as he shall think most fit for his discharge.

11. And of rewarding and punishing, and that (where no former law has

14. Eleventhly, to the sovereign is committed the power of rewarding with riches or honor and of punishing with corporal or pecuniary punishment or with ignominy [disgrace], every subject according to the law he has formerly made; or if there be no law made, according as he shall judge most to conduce to the encouraging of men to serve the commonwealth or deterring of them from doing disservice to the same.

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[1] *meum and tuum* Latin: mine and yours.

[2] *generalissimo* Commander-in-chief.

determined the measure of it) arbitrary.

12. And of honor and order.

15. Lastly, considering what values men are naturally apt to set upon themselves, what respect they look for from others, and how little they value other men, from whence continually arise amongst them emulation,[1] quarrels, factions, and at last war, to the destroying of one another and diminution of their strength against a common enemy, it is necessary that there be laws of honor and a public rate[2] of the worth of such men as have deserved or are able to deserve well of the commonwealth, and that there be force in the hands of some or other to put those laws in execution. But it has already been shown that not only the whole militia or forces of the commonwealth, but also the judicature of all controversies is annexed to the sovereignty. To the sovereign therefore it belongs also to give titles of honor and to appoint what order of place and dignity each man shall hold and what signs of respect in public or private meetings they shall give to one another.

These rights are indivisible.

16. These are the rights which make the essence of sovereignty and which are the marks whereby a man may discern in what man or assembly of men the sovereign power is placed and resides. For these are incommunicable[3] and inseparable. The power to coin money, to dispose of the estate and persons of infant heirs, to have preemption in markets,[4] and all other statute prerogatives may be transferred by the sovereign, and yet the power to protect his subjects be retained. But if he transfer the militia, he retains the judicature in vain, for want of execution of the laws; or if he grant away the power of raising money, [93] the militia is in vain; or if he give away the government of doctrines, men will be frighted into rebellion with the fear of spirits. And so if we consider any one of the said rights, we shall presently see that the holding of all the rest will produce no effect in the conservation of peace and justice, the end for which all commonwealths are instituted. And this division [of powers] is it whereof it is said, *A kingdom divided in itself cannot stand*;[5] for unless this division precede, division into opposite armies can never happen. If there had not first been an opinion received of the greatest part of England that these powers were divided between the King and the Lords and the House of Commons, the people had never been divided and fallen into this Civil War, first between those that disagreed in politics and after between the dissenters about the liberty of religion; which have so instructed men in this point of sovereign right that there be few now (in England) that do not see that these rights are inseparable and will be so generally acknowledged at the next return of peace; and so [they will] continue [to see this] till their miseries are forgotten; and [it will be seen] no longer, except the vulgar be better taught than they have hitherto been.[6]

And can by no grant pass away without direct renouncing of the sovereign power.

17. And because they are essential and inseparable rights, it follows necessarily that in whatsoever words any of them seem to be granted away, yet if the sovereign power itself be not in direct terms renounced and the name of sovereign no more given by the grantees to him that grants them, [then] the grant is void; for when he has granted all he can, if we grant back the sovereignty, all is restored, as inseparably annexed thereunto.

The power and honor of subjects vanishes in the presence of the power sovereign.

18. This great authority being indivisible and inseparably annexed to the sovereignty, there is little ground for the opinion of them that say of sovereign kings, though they be *singulis majores*, of greater power than every one of their subjects; yet they be *universis minores*, of less power than them all together. For if by *all together* they mean not the collective body as one person, then *all together* and *every one* signify the same and the speech is absurd. But if by *all together* they understand them as one person (which person the sovereign bears), then the power of all together is the same with the sovereign's power and so again the speech is absurd, which absurdity they

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[1] *emulation* Envy.

[2] *rate* Price-list.

[3] *incommunicable* Cannot be shared.

[4] *preemption in markets* The right to buy household provisions in preference to other persons, and at special rates.

[5] *A kingdom ... cannot stand* Matthew 12.25, Mark 3.24, Luke 11.17.

[6] *better taught ... hitherto been* Better teaching would include teaching *Leviathan*, according to Hobbes.

see well enough when the sovereignty is in an assembly of the people; but in a monarch they see it not, and yet the power of sovereignty is the same in whomsoever it be placed.

19. And as the power, so also the honor of the sovereign ought to be greater than that of any or all the subjects. For in the sovereignty is the fountain of honor. The dignities of lord, earl, duke, and prince are his creatures.[1] As in the presence of the master the servants are equal and without any honor at all, so are the subjects in the presence of the sovereign. And though they shine some more, some less, when they are out of his sight; yet in his presence they shine no more than the stars in presence of the sun.

20. But a man may here object that the condition of subjects is very miserable, as being obnoxious to[2] the lusts and other irregular passions [94] of him or them that have so unlimited a power in their hands. And commonly they that live under a monarch think it the fault of monarchy; and they that live under the government of democracy or other sovereign assembly attribute all the inconvenience to that form of commonwealth; whereas the power in all forms, if they be perfect enough to protect them, is the same; [and they are] not considering that the estate of man can never be without some incommodity[3] or other, and that the greatest[4] that in any form of government can possibly happen to the people in general is scarce sensible in respect of[5] the miseries and horrible calamities that accompany a civil war or that dissolute condition of masterless men without subjection to laws and a coercive power to tie their hands from rapine[6] and revenge; nor [are they] considering that the greatest pressure of sovereign governors proceeds not from any delight or profit they can expect in the damage or weakening of their subjects (in whose vigor consists their own strength and glory), but in the restiveness of themselves that, unwillingly contributing to their own defense, make it necessary for their governors to draw from them what they can in time of peace, [in order] that they may have means on any emergent occasion or sudden need to resist or take advantage on their enemies. For all men are by nature provided of notable multiplying[7] glasses (that is their passions and self-love) through which every little payment appears a great grievance, but are destitute of those prospective glasses[8] (namely moral and civil science) to see afar off the miseries that hang over them and cannot without such payments be avoided.

Sovereign power not so hurtful as the want of it, and the hurt proceeds for the greatest part from not submitting readily to a less.

Chapter 19: Of the Several Kinds of Commonwealth by Institution and of Succession to the Sovereign Power

1. The difference of commonwealths consists in the difference of the sovereign or the person representative of all and every one of the multitude. And because the sovereignty is either in one man or in an assembly of more than one, and into that assembly either every man has right to enter or not every one, but certain men distinguished from the rest; it is manifest there can be but three kinds of commonwealth. For the representative must needs be one man or more; and if more, then it is the assembly of all, or but of a part. When the representative is one man, then is the commonwealth a Monarchy; when an assembly of all that will come together, then it is a Democracy or popular commonwealth; when an assembly of a part only, then it is called an Aristocracy. Other kind of commonwealth there can be none; for either one, or more, or all, must have the sovereign power (which I have shown to be indivisible) entire.

The different forms of commonwealths but three.

2. There be other names of government in the histories and books of policy,[9] as *tyranny* and *oligarchy*; but they are not the names of other forms

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[1] *his creatures* Created by him.

[2] *obnoxious to* Subject to injury by.

[3] *incommodity* Disadvantage.

[4] *greatest* Worst.

[5] *scarce sensible in respect of* Almost nothing compared to.

[6] *rapine* Robbery.

[7] *multiplying* Magnifying.

[8] *prospective glasses* Crystal balls.

[9] *books of policy* "Policy" means political theory. Hobbes is probably thinking here of Aristotle's *Poli-*

Tyranny and oligarchy, but different names of monarchy, and aristocracy.

[95] of government, but of the same forms misliked.[1] For they that are discontented under *monarchy* call it *tyranny* and they that are displeased with *aristocracy* call it *oligarchy*; so also, they which find themselves grieved under a *democracy* call it *anarchy*, which signifies want of government; and yet I think no man believes that want of government is any new kind of government; nor by the same reason ought they to believe that the government is of one kind when they like it and another when they mislike it or are oppressed by the governors.

Subordinate representatives dangerous.

3. It is manifest that men who are in absolute liberty may, if they please, give authority to one man to represent them every one, as well as give such authority to any assembly of men whatsoever; and consequently [they] may subject themselves, if they think good, to a monarch as absolutely as to any other representative. Therefore, where there is already erected a sovereign power, there can be no other representative of the same people, but only to certain particular ends by the sovereign limited.[2] For that [that is, to erect a representative in addition to the sovereign power] were to erect two sovereigns and every man to have his person represented by two actors that, by opposing one another, must needs divide that power which (if men will live in peace) is indivisible, and thereby reduce the multitude into the condition of war, contrary to the end for which all sovereignty is instituted.[3] And therefore as it is absurd to think that a sovereign assembly, inviting the people of their dominion to send up their deputies with power to make known their advice or desires, should therefore hold such deputies, rather than themselves, for the absolute representative of the people, so it is absurd also to think the same in a monarchy. And I know not how this so manifest a truth should of late be so little observed, that in a monarchy he that had the sovereignty from a descent of six hundred years,[4] was alone called sovereign, had the title of Majesty from every one of his subjects, and was unquestionably taken by them for their king, was notwithstanding never considered as their representative, that name without contradiction passing for the title of those men which at his command were sent up by the people to carry their petitions and give him, if he permitted it, their advice.[5] Which may serve as an admonition for those that are the true and absolute representative of a people to instruct men in the nature of that office, and to take heed how they admit of any other general representation upon any occasion whatsoever, if they mean to discharge the trust committed to them.

Comparison of monarchy, with sovereign assemblies.

4. The difference between these three kinds of commonwealth consists not in the difference of power,[6] but in the difference of convenience[7] or aptitude to produce the peace and security of the people, which end they were instituted. And to compare monarchy with the other two, we may observe; first, that whosoever bears the person of the people or is one of that assembly that bears it bears also his own natural person. And though he be careful in his politic person to procure the common interest; yet he is more, or no less, careful to procure the private good of himself, his family, kindred and friends; and for the most part, if the public interest chance to cross the private, he prefers the private, for the passions of [96] men are commonly more potent than their reason. From whence it follows that where the public

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tics 3.7, and Polybius' *Histories* 6.3–9, among other works.

[1] *misliked* Disliked.

[2] *but only ... sovereign limited* Except for certain particular purposes specified by the sovereign.

[3] *thereby reduce ... is instituted* Hobbes thinks that genuine separation of powers, as the United States claims for its government, leads to civil war. He was thinking in particular of the English Civil Wars (1642–49), which pitted the king and his followers against a majority of the parliament and their followers.

[4] *he that ... six hundred years* The Stuart monarchs traced their lineage back to William I, who conquered England in 1066.

[5] *those men ... their advice* Hobbes believed that Parliament had no political power independent of the monarch. He thought it was a purely advisory body, as the French etymology of "parliament" suggests: to talk.

[6] *The difference ... of power* All three forms of government are equally sovereign. But Hobbes thinks that monarchy is the most stable form of government; democracy the least.

[7] *convenience* Fitness.

and private interest are most closely united, there is the public most advanced. Now in monarchy the private interest is the same with the public. The riches, power, and honor of a monarch arise only from the riches, strength, and reputation of his subjects. For no king can be rich nor glorious nor secure, whose subjects are either poor or contemptible or too weak through want or dissension to maintain a war against their enemies; whereas in a democracy or aristocracy, the public prosperity confers not so much to the private fortune of one that is corrupt or ambitious, as does many times a perfidious advice, a treacherous action, or a civil war.

5. Secondly, that a monarch receives counsel of whom, when, and where he pleases; and consequently may hear the opinion of men versed in the matter about which he deliberates, of what rank or quality soever, and as long before the time of action and with as much secrecy as he will. But when a sovereign assembly has need of counsel, none are admitted but such as have a right thereto from the beginning, which for the most part are of those who have been versed more in the acquisition of wealth than of knowledge and are to give their advice in long discourses which may, and do commonly, excite men to action, but not govern them in it. For the *understanding* is by the flame of the passions never enlightened, but dazzled; nor is there any place or time wherein an assembly can receive counsel with secrecy, because of their own multitude.

6. Thirdly, that the resolutions of a monarch are subject to no other inconstancy than that of human nature; but in assemblies, besides that of nature, there arises an inconstancy from the number. For the absence of a few that would have the resolution, once taken, continue firm (which may happen by security, negligence, or private impediments), or the diligent appearance of a few of the contrary opinion, undoes today all that was concluded yesterday.

7. Fourthly, that a monarch cannot disagree with himself out of envy or interest, but an assembly may, and that to such a height as may produce a civil war.

8. Fifthly, that in monarchy there is this inconvenience:[1] that any subject, by the power of one man, for the enriching of a favorite or flatterer, may be deprived of all he possesses, which I confess is a great and inevitable inconvenience. But the same may as well happen where the sovereign power is in an assembly; for their power is the same, and they are as subject to evil counsel and to be seduced by orators as a monarch by flatterers; and becoming one another's flatterers, serve one another's covetousness and ambition by turns. And whereas the favorites of monarchs are few and they have none else to advance but their own kindred, the favorites of an assembly are many, and the kindred much more numerous than of any monarch. Besides, there is no favorite of a monarch which cannot as well succor his friends as hurt his enemies; but orators, that is to say favorites of sovereign assemblies, though they [97] have great power to hurt, have little to save. For to accuse requires less eloquence (such is man's nature) than to excuse; and condemnation, than absolution, more resembles justice.

9. Sixthly, that it is an inconvenience in monarchy that the sovereignty may descend upon an infant or one that cannot discern between good and evil, and [the inconvenience] consists in this: that the use of his power must be in the hand of another man or of some assembly of men, which are to govern by his right and in his name as curators and protectors of his person and authority. But to say there is inconvenience in putting the use of the sovereign power into the hand of a man or an assembly of men is to say that all government is more inconvenient than confusion and civil war. And therefore all the danger that can be pretended must arise from the contention of those that, for an office of so great honor and profit, may become competitors. To make it appear that this inconvenience proceeds not from that form of government we call monarchy, we are to consider that the precedent monarch has appointed who shall have the tuition[2] of his infant successor, either expressly by testament

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[1] *inconvenience* Unsuitableness.

[2] *tuition* Guardianship.

or tacitly by not controlling the custom in that case received; and then such inconvenience, if it happen, is to be attributed not to the monarchy, but to the ambition and injustice of the subjects, which in all kinds of government where the people are not well instructed in their duty and the rights of sovereignty, is the same. Or else the precedent monarch has not at all taken order for such tuition; and then the law of nature has provided this sufficient rule, that the tuition shall be in him that has by nature most interest in the preservation of the authority of the infant, and to whom least benefit can accrue by his death or diminution. For seeing every man by nature seeks his own benefit and promotion, to put an infant into the power of those that can promote themselves by his destruction or damage is not tuition but treachery. So that sufficient provision being taken against all just quarrel about the government under a child, if any contention arise to the disturbance of the public peace, it is not to be attributed to the form of monarchy but to the ambition of subjects and ignorance of their duty. On the other side, there is no great commonwealth, the sovereignty whereof is in a great assembly, which is not, as to consultations of peace and war and making of laws, in the same condition as if the government were in a child. For as a child wants[1] the judgment to dissent from counsel given him and is thereby necessitated to take the advice of them or him to whom he is committed; so an assembly wants the liberty to dissent from the counsel of the major part, be it good or bad. And as a child has need of a tutor or protector to preserve his person and authority, so also in great commonwealths the sovereign assembly, in all great dangers and troubles, have need of *custode libertatis*, that is, of dictators or protectors of their authority, which are as much as temporary [98] monarchs, to whom for a time they may commit the entire exercise of their power; and have (at the end of that time) been oftener deprived thereof than infant kings by their protectors, regents, or any other tutors.

10. Though the kinds of sovereignty be, as I have now shown, but three; that is to say, monarchy, where one man has it; or democracy, where the general assembly of subjects has it; or aristocracy, where it is in an assembly of certain persons nominated or otherwise distinguished from the rest; yet he that shall consider the particular commonwealths that have been and are in the world will not perhaps easily reduce them to three, and may thereby be inclined to think there be other forms arising from these mingled together. As for example elective kingdoms, where kings have the sovereign power put into their hands for a time, or kingdoms wherein the king has a power limited, which governments are nevertheless by most writers called monarchy. Likewise if a popular or aristocratical commonwealth subdue an enemy's country and govern the same by a president, procurator, or other magistrate, this may seem perhaps, at first sight, to be a democratical or aristocratical government. But it is not so. For elective kings are not sovereigns, but ministers of the sovereign; nor limited kings sovereigns, but ministers of them that have the sovereign power; nor are those provinces which are in subjection to a democracy or aristocracy of another commonwealth democratically or aristocratically governed, but monarchically.[2]

11. And first, concerning an elective king whose power is limited to his life, as it is in many places of Christendom at this day, or to certain years or months, as the dictator's power amongst the Romans, if he have right to appoint his successor he is no more elective but hereditary. But if he have no power to elect his successor, then there is some other man or assembly known, which after his decease may elect a new; or else the commonwealth dies and dissolves with him, and re-

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[1] *wants* Lacks.

[2] *nor are ... but monarchically* A government may appear to be of one form but really be of another. Some constitutional monarchies, such as the United Kingdom, Canada, and Australia, are in practice not monarchies at all, but representative democracies. When a province, such as first-century Palestine, is ruled by a foreign conqueror, such as Rome, the form of government is monarchy. The people of Rome as sovereign constituted an artificial person and in that capacity governed Palestine.

turns to the condition of war. If it be known who have the power to give the sovereignty after his death, it is known also that the sovereignty was in them before; for none have right to give that which they have not right to possess, and keep to themselves, if they think good. But if there be none that can give the sovereignty after the decease of him that was first elected, then has he power, nay he is obliged by the law of nature, to provide, by establishing his successor, to keep to those that had trusted him with the government from relapsing into the miserable condition of civil war. And consequently he was, when elected, a sovereign absolute.

12. Secondly, that king whose power is limited is not superior to him or them that have the power to limit it; and he that is not superior is not supreme, that is to say, not sovereign. The sovereignty therefore was always in that assembly which had the right to limit him, and by consequence the government [was] not monarchy, but either democracy or aristocracy, as of old [99] time in Sparta, where the kings had a privilege to lead their armies, but the sovereignty was in the Ephori.[1]

13. Thirdly, whereas heretofore the Roman people governed the land of Judea, for example, by a president; yet was not Judea therefore a democracy, because they were not governed by any assembly into which any of them had right to enter, nor by an aristocracy, because they were not governed by any assembly into which any man could enter by their election; but they were governed by one person, which though as to the people of Rome was an assembly of the people, or democracy; yet as to the people of Judea, which had no right at all of participating in the government, was a monarch. For though where the people are governed by an assembly chosen by themselves out of their own number, the government is called a democracy or aristocracy; yet when they are governed by an assembly not of their own choosing, it is a monarchy, not of one man over another man, but of one people over another people.

Of the right of succession.

14. Of all these forms of government, the matter being mortal, so that not only monarchs but also whole assemblies die, it is necessary for the conservation of the peace of men that as there was order taken for an artificial man, so there be order also taken for an artificial eternity of life, without which men that are governed by an assembly should return into the condition of war in every age, and they that are governed by one man as soon as their governor dies. This artificial eternity is that which men call the right of *succession.*

15. There is no perfect form of government, where the disposing of the succession is not in the present sovereign. For if it be in any other particular man or private assembly, it is in a person subject, and may be assumed by the sovereign at his pleasure; and consequently the right is in himself. And if it be in no particular man, but left to a new choice, then is the commonwealth dissolved, and the right is in him that can get it, contrary to the intention of them that did institute the commonwealth for their perpetual, and not temporary, security.

16. In a democracy, the whole assembly cannot fail unless the multitude that are to be governed fail. And therefore questions of the right of succession have in that form of government no place at all.

17. In an aristocracy when any of the assembly dies, the election of another into his room belonged to the assembly, as the sovereign, to whom belonged the choosing of all counselors and officers. For that which the representative does as actor, every one of the subjects does as author. And though the sovereign assembly may give power to others to elect new men for supply of their court; yet it is still by their authority that the election is made; and by the same it may, when the public shall require it, be recalled.

The present monarch has right to dispose

18. The greatest difficulty about the right of succession is in monarchy; and the difficulty arises from this, that at first sight it is not manifest who is to appoint the successor nor many times who it is whom he has appointed. For in both these cases there is required a more exact

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[1] *Ephori* Five senior government officials, elected annually, who advised the king.

of the succession. [100] ratiocination[1] than every man is accustomed to use. As to the question who shall appoint the successor of a monarch that has the sovereign authority, that is to say, who shall determine of the right of inheritance (for elective kings and princes have not the sovereign power in propriety, but in use only), we are to consider that either he that is in possession has right to dispose of the succession or else that right is again in the dissolved multitude. For the death of him that has the sovereign power in propriety leaves the multitude without any sovereign at all, that is, without any representative in whom they should be united and be capable of doing any one action at all. And therefore they are incapable of election of any new monarch, every man having equal right to submit himself to such as he thinks best able to protect him, or, if he can, protect himself by his own sword, which is a return to confusion and to the condition of a war of every man against every man, contrary to the end for which monarchy had its first institution. Therefore it is manifest that by the institution of monarchy the disposing of the successor is always left to the judgment and will of the present possessor.

19. And for the question (which may arise sometimes), *who it is that the monarch in possession has designed to the succession and inheritance of his power*, it is determined by his express words and testament, or by other tacit signs sufficient.

Succession passes by express words.

20. By express words or testament, when it is declared by him in his lifetime, *viva voce*,[2] or by writing, as the first emperors of Rome declared who should be their heirs. For the word *heir* does not of itself imply the children or nearest kindred of a man, but whomsoever a man shall any way declare he would have to succeed him in his estate. If therefore a monarch declare expressly that such a man shall be his heir, either by word or writing, then is that man immediately after the decease of his predecessor invested in the right of being monarch.

Or, by not controlling a custom.

21. But where testament and express words are wanting, other natural signs of the will are to be followed, whereof the one is custom. And therefore where the custom is that the next of kindred absolutely succeeds, there also the next of kindred has right to the succession that, if the will of him that was in possession had been otherwise, he might easily have declared the same in his lifetime. And likewise where the custom is that the next of the male kindred succeeds, there also the right of succession is in the next of the kindred male, for the same reason. And so it is if the custom were to advance the female. For whatsoever custom a man may by a word control and does not, it is a natural sign he would have that custom stand.

Or, by presumption of natural affection. [101]

22. But where neither custom nor testament has preceded, there it is to be understood: first, that a monarch's will is that the government remain monarchical, because he has approved that government in himself. Secondly, that a child of his own, male or female, be preferred before any other, because men are presumed to be more inclined by nature to advance their own children than the children of other men; and of their own, rather a male than a female, because men are naturally fitter than women for actions of labor and danger. Thirdly, where his own issue fails, rather a brother than a stranger, and so still the nearer in blood rather than the more remote, because it is always presumed that the nearer of kin is the nearer in affection and it is evident that a man receives always, by reflection, the most honor from the greatness of his nearest kindred.

To dispose of the succession, though to a king of another nation, not unlawful.

23. But if it be lawful for a monarch to dispose of the succession by words of contract or testament, men may perhaps object a great inconvenience; for he may sell or give his right of governing to a stranger,[3] which, because strangers (that is, men not used to live under the same government, nor speaking the same language) do commonly undervalue one another, may turn to the oppression of his subjects, which is indeed a great inconvenience; but it proceeds not necessarily from the subjection to a stranger's government,

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[1] *ratiocination* Reasoning.

[2] *viva voce* Latin: orally.

[3] *stranger* Foreigner.

but from the unskillfulness of the governors ignorant of the true rules of politics. And therefore the Romans, when they had subdued many nations, to make their government digestible were wont to take away that grievance as much as they thought necessary by giving sometimes to whole nations, and sometimes to principal men of every nation they conquered, not only the privileges but also the name of Romans, and took many of them into the Senate and offices of charge, even in the Roman city. And this was it our most wise king, King James, aimed at in endeavoring the union of his two realms of England and Scotland.[1] Which, if he could have obtained, had in all likelihood prevented the civil wars which make both those kingdoms, at this present, miserable. It is not therefore any injury to the people for a monarch to dispose of the succession by will, though by the fault of many princes it has been sometimes found inconvenient. Of the lawfulness of it, this also is an argument: that whatsoever inconvenience can arrive by giving a kingdom to a stranger may arrive also by so marrying with strangers, as the right of succession may descend upon them; yet this by all men is accounted lawful.

Chapter 20: Of Dominion Paternal and Despotical

A commonwealth by acquisition. [102]

1. A commonwealth *by acquisition* is that where the sovereign power is acquired by force; and it is acquired by force when men singly, or many together by plurality of voices, for fear of death or bonds, do authorize all the actions of that man or assembly that has their lives and liberty in his power.

Wherein different from a commonwealth by institution.

2. And this kind of dominion or sovereignty differs from sovereignty by institution only in this, that men who choose their sovereign do it for fear of one another and not of him whom they institute; but in this case, they subject themselves to him they are afraid of. In both cases they do it for fear; which is to be noted by them that hold all such covenants, as proceed from fear of death or violence, void; which, if it were true, no man in any kind of commonwealth could be obliged to obedience. It is true that in a commonwealth once instituted or acquired, promises proceeding from fear of death or violence are no covenants nor obliging when the thing promised is contrary to the laws; but the reason is not because it was made upon fear, but because he that promises has no right in[2] the thing promised. Also, when he may lawfully perform and does not, it is not the invalidity of the covenant that absolves him, but the sentence of the sovereign. Otherwise, whensoever a man lawfully promises, he unlawfully breaks; but when the sovereign, who is the actor, acquits him, then he is acquitted by him that extorted the promise, as by the author of such absolution.

The rights of sovereignty the same in both.

3. But the rights and consequences of sovereignty are the same in both. His power cannot without his consent be transferred to another; he cannot forfeit it; he cannot be accused by any of his subjects of injury; he cannot be punished by them; he is judge of what is necessary for peace and judge of doctrines; he is sole legislator and supreme judge of controversies and of the times and occasions of war and peace; to him it belonged to choose magistrates, counselors, commanders, and all other officers and ministers, and to determine of rewards and punishments, honor and order. The reasons whereof are the same which are alleged in the precedent chapter[3] for the same rights and consequences of sovereignty by institution.

Dominion paternal how attained. Not by generation, but by contract;

4. Dominion is acquired two ways, by generation and by conquest. The right of dominion by generation is that which the parent has over his children and is called Paternal. And is not so derived from the generation, as if therefore the parent had dominion over his child because he begat him, but from the child's consent, either express or by other sufficient arguments declared. For as to the generation, God has ordained to

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[1] *King James ... Scotland* James I and VI was separately king of Scotland (hence VI) and king of England and Wales (I). His attempt to unite the two realms failed, and union was achieved only in 1707.

[2] *right in* Right to.

[3] *the precedent chapter* This appears to refer to Chapter 18; similarly in Paragraph 14. But these words in Paragraph 9 appear to refer to Chapter 29.

man a helper, and there be always two that are equally parents; the dominion therefore over the child should belong equally to both and he be equally subject to both, which is impossible; for no man can obey two masters. And whereas some[1] have attributed the dominion to the man only, as being of the more excellent sex, they misreckon in it. For there is not always that difference of strength or prudence between the man and the woman as that the right can be determined without war. In commonwealths this controversy is decided by the civil law; and for the most part (but not always) the sentence is in favor of the father, because for the most part commonwealths [103] have been erected by the fathers, not by the mothers of families. But the question lies now in the state of mere nature where there are supposed no laws of matrimony, no laws for the education of children but the law of nature and the natural inclination of the sexes, one to another, and to their children. In this condition of mere nature either the parents between themselves dispose of [settle] the dominion over the child by contract or do not dispose thereof at all. If they dispose thereof, the right passes according to the contract. We find in history that the Amazons[2] contracted with the men of the neighboring countries, to whom they had recourse for issue, that the issue male should be sent back, but the female remain with themselves; so that the dominion of the females was in the mother.

Or education;

5. If there be no contract, the dominion is in the mother. For in the condition of mere nature, where there are no matrimonial laws, it cannot be known who is the father unless it be declared by the mother; and therefore the right of dominion over the child depends on her will, and is consequently hers. Again, seeing the infant is first in the power of the mother, so as she may either nourish or expose[3] it, if she nourish it, it owes its life to the mother, and is therefore obliged to obey her rather than any other; and by consequence the dominion over it is hers. But if she expose it, and another find and nourish it, dominion is in him that nourishes it. For it ought to obey him by whom it is preserved, because preservation of life being the end for which one man becomes subject to another, every man is supposed to promise obedience to him in whose power it is to save or destroy him.

Or precedent subjection of one of the parents to the other.

6. If the mother be the father's subject, the child is in the father's power; and if the father be the mother's subject (as when a sovereign queen marries one of her subjects), the child is subject to the mother, because the father also is her subject.

7. If a man and a woman, monarchs of two several kingdoms, have a child, and contract concerning who shall have the dominion of him, the right of the dominion passes by the contract. If they contract not, the dominion follows the dominion of the place of his residence. For the sovereign of each country has dominion over all that reside therein.

8. He that has the dominion over the child has dominion also over the children of the child, and over their children's children. For he that has dominion over the person of a man has dominion over all that is his, without which dominion were but a title without the effect.

The right of succession follows the rules of the right of possession.

9. The right of succession to paternal dominion proceeds in the same manner as does the right of succession to monarchy, of which I have already sufficiently spoken in the precedent chapter.

Despotical dominion how attained.

10. Dominion acquired by conquest or victory in war is that which some writers call Despotical from *Despotes*, which signifies a *lord* or *master* and is the dominion of the master over his servant. And this dominion is then acquired to the victor [104] when the vanquished, to avoid the present stroke of death, covenants either in express words or by other sufficient signs of the will that so long as his life and the liberty of his body is allowed him, the victor shall have the use thereof at his pleasure. And after such covenant made, the vanquished is a Servant, and not before; for by the word *servant* (whether it be derived from [the Latin] servire, to serve, or from servare, to save, which I leave to

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[1] *some* For example, Aristotle and Aquinas.

[2] *Amazons* Ancient nation of warrior women; Hobbes takes accounts of them to be historical, but nowadays these stories are taken to be largely mythological.

[3] *expose* In some cultures, unwanted children were customarily abandoned out in the open, unprotected, where they would die unless rescued by a stranger.

grammarians to dispute)[1] is not meant a captive, which is kept in prison or bonds, till the owner of him that took him or bought him of one that did, shall consider what to do with him; for such men, commonly called slaves, have no obligation at all, but may break their bonds or the prison and kill or carry away captive their master, justly; but one that, being taken, has corporal liberty allowed him, and upon promise not to run away nor to do violence to his master, is trusted by him.

Not by the victory, but by the consent of the vanquished.

11. It is not therefore the victory that gives the right of dominion over the vanquished, but his own covenant. Nor is he obliged because he is conquered, that is to say, beaten and taken or put to flight, but because he comes in and submits to the victor; nor is the victor obliged by an enemy's rendering himself, without promise of life, to spare him for this his yielding to discretion, which obliges not the victor longer than in his own discretion he shall think fit.

12. And that which men do when they demand, as it is now called, *quarter* (which the Greeks called *Zogria, taking alive*) is to evade the present fury of the victor by submission and to compound for their life with ransom or service; and therefore he that has quarter has not his life given, but deferred till further deliberation; for it is not a yielding on condition of life, but to discretion. And then only is his life in security, and his service due, when the victor has trusted him with his corporal liberty. For slaves that work in prisons or fetters do it not of duty, but to avoid the cruelty of their task-masters.

13. The master of the servant is master also of all he has and may exact the use thereof; that is to say, of his goods, of his labor, of his servants, and of his children, as often as he shall think fit. For he holds his life of his master by the covenant of obedience, that is, of owning and authorizing whatsoever the master shall do. And in case the master, if he refuse, kill him or cast him into bonds, or otherwise punish him for his disobedience, he is himself the author of the same and cannot accuse him of injury.

14. In sum, the rights and consequences of both *paternal* and *despotical* dominion are the very same with those of a sovereign by institution, and for the same reasons, which reasons are set down in the precedent chapter. So that for a man that is monarch of divers nations, whereof he has in one the sovereignty by institution of the people assembled, and in another by conquest, that is, by the submission of each particular to avoid death or bonds, to demand of one nation more than of the other, from the title of conquest, as being a conquered nation, is an act of ignorance of the rights of sovereignty. For the sovereign is absolute [105] over both alike or else there is no sovereignty at all, and so every man may lawfully protect himself, if he can, with his own sword, which is the condition of war.

Difference between a family and a kingdom.

15. By this it appears that a great family, if it be not part of some commonwealth, is of itself, as to the rights of sovereignty, a little monarchy, whether that family consist of a man and his children, or of a man and his servants, or of a man and his children and servants together,[2] wherein the father or master is the sovereign. But yet a family is not properly a commonwealth unless it be of that power by its own number or by other opportunities,[3] as not to be subdued without the hazard of war. For where a number of men are manifestly too weak to defend themselves united, every one may use his own reason in time of danger to save his own life either by flight or by submission to the enemy, as he shall think best; in the same manner as a very small company of soldiers, surprised by an army, may cast down their arms and demand quarter or run away rather than be put to the sword. And thus much shall suffice concerning what I find by speculation and deduction of sovereign rights, from the nature, need, and designs of men in erecting of commonwealths and putting themselves under monarchs or assemblies entrusted with power enough for their protection.

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[1] *from [the Latin] ... to dispute* The word "servant" derives from *servire*.

[2] *whether that ... servants together* The word "family" in Hobbes' time could be used in a broader sense, to include family servants.

[3] *a family ... other opportunities* See 17.2, and the footnote regarding families.

The rights of monarchy from Scripture.

16. Let us now consider what the Scripture teaches in the same point. To Moses the children of Israel say thus: *Speak thou to us, and we will hear thee; but let not God speak to us, lest we die.* Exodus 20.19. This is absolute obedience to Moses. Concerning the right of kings, God himself, by the mouth of Samuel, says, *This shall be the right of the king you will have to reign over you. He shall take your sons, and set them to drive his chariots and to be his horsemen, and to run before his chariots, and gather in his harvest, and to make his engines of war, and instruments of his chariots; and [he] shall take your daughters to make perfumes, to be his cooks, and bakers. He shall take your fields, your vineyards, and your olive-yards, and give them to his servants. He shall take the tithe of your corn and wine, and give it to the men of his chamber, and to his other servants. He shall take your man-servants, and your maidservants, and the choice of your youth, and employ them in his business. He shall take the tithe of your flocks; and you shall be his servants.* 1 Samuel 8.11–17. This is absolute power, and summed up in the last words, *you shall be his servants.*[1] Again, when the people heard what power their king was to have; yet they consented thereto, and say thus: *We will be as all other nations, and our king shall judge our causes, and go before us, to conduct our wars.* 1 Samuel 8.19–20. Here is confirmed the right that sovereigns have, both to the *militia* and to all *judicature*, in which is contained as absolute power as one man can possibly transfer to another. Again, the prayer of King Solomon to God was this: *Give to thy servant understanding, to judge thy people, and to discern between good and evil.* 1 Kings 3.9. It belonged therefore to the sovereign to be [106] *judge* and to prescribe the rules of *discerning good and evil*, which rules are laws; and therefore in him is the legislative power. Saul sought the life of David; yet when it was in his power to slay Saul, and his servants would have done it, David forbade them, saying, *God forbid I should do such an act against my Lord, the anointed of God.* 1 Samuel 24.9. For obedience of servants St. Paul says, *Servants obey your masters in all things*, and *Children obey your parents in all things*. Colossians 3.20. Colossians 3.22. There is simple obedience in those that are subject to paternal or despotical dominion. Again, *The scribes and Pharisees sit in Moses' chair, and therefore all that they shall bid you observe, that observe and do.* Matthew 23.2–3. There again is simple obedience. And St. Paul, *Warn them that they subject themselves to princes, and to those that are in authority, and obey them.* Titus 3.2. This obedience is also simple. Lastly, our Savior himself acknowledges that men ought to pay such taxes as are by kings imposed where he says, *Give to Caesar that which is Caesar's* and paid such taxes himself. And that the king's word is sufficient to take anything from any subject, when there is need; and that the king is judge of that need; for he himself, as king of the Jews, commanded his Disciples to take the ass and ass's colt to carry him into Jerusalem, saying, *Go into the village over against you, and you shall find a she ass tied, and her colt with her; untie them, and bring them to me. And if any man ask you, what you mean by it, say the Lord has need of them; and they will let them go.* Matthew 21.2–3. They will not ask whether his necessity be a sufficient title nor whether he be judge of that necessity, but acquiesce in the will of the Lord.

17. To these places may be added also that of Genesis, *You shall be as gods, knowing good and evil.* And, *Who told thee that thou wast naked? Hast thou eaten of the tree, of which I commanded thee thou shouldest not eat?*[2] Genesis 3.5. For the cognizance or judicature of good and evil, being forbidden by the name of the fruit of the tree of knowledge, as a trial of Adam's obedience, the devil to inflame the ambition of the woman, to whom that fruit already seemed beautiful, told her that by tasting it they should be as gods, knowing good and evil. Whereupon having both eaten, they did indeed take upon them God's office, which is judicature of good and evil, but acquired no new ability to distinguish between them aright.[3] And whereas it is said that having eaten, they saw they were naked, no man has so interpreted that place as if they had been formerly blind and saw not their own skins, the meaning is plain that it was then

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[1] *you shall be his servants* It is ironic that Hobbes uses this passage to support absolute sovereignty since the passage clearly is warning the Israelites against establishing a monarchy.

[2] *Who told thee ... shouldest not eat?* Genesis 3.11.

[3] *aright* Correctly.

they first judged their nakedness (wherein it was God's will to create them) to be uncomely, and by being ashamed did tacitly censure God himself. And thereupon God says, *Hast thou eaten*, etc., as if he should say, doest thou that owes me obedience take upon thee to judge of my commandments? Whereby it is clearly, though allegorically, signified that the commands of them that have the right to command are not by their subjects to be censured nor disputed.

Sovereign power ought in all commonwealths to be absolute. [107] 18. So that it appears plainly, to my understanding, both from reason and Scripture, that the sovereign power, whether placed in one man, as in monarchy, or in one assembly of men, as in popular and aristocratical commonwealths, is as great as possibly men can be imagined to make it. And though of so unlimited a power men may fancy many evil consequences; yet the consequences of the want of it, which is perpetual war of every man against his neighbor, are much worse.[1] The condition of man in this life shall never be without inconveniences; but there happens in no commonwealth any great inconvenience but what proceeds from the subjects' disobedience and breach of those covenants from which the commonwealth has its being. And whosoever thinking sovereign power too great will seek to make it less must subject himself to the power that can limit it, that is to say, to a [still] greater [power].

19. The greatest objection is that of the practice[2] when men ask where and when such power has by subjects been acknowledged. But one may ask them again, when or where has there been a kingdom long free from sedition and civil war? In those nations whose commonwealths have been long-lived and not been destroyed but by foreign war the subjects never did dispute of the sovereign power. But howsoever, an argument from the practice of men that have not sifted to the bottom, and with exact reason weighed the causes and nature of commonwealths, and suffer daily those miseries that proceed from the ignorance thereof, is invalid. For though in all places of the world men should lay the foundation of their houses on the sand, it could not thence be inferred that so it ought to be. The skill of making and maintaining commonwealths consists in certain rules, as does arithmetic and geometry, not, as tennis play, on practice only; which rules neither poor men have the leisure, nor men that have had the leisure have hitherto had the curiosity or the method, to find out.

Chapter 21: Of the Liberty of Subjects

Liberty, what. 1. Liberty or Freedom signifies properly the absence of opposition (by opposition I mean external impediments of motion) and may be applied no less to irrational and inanimate creatures than to rational. For whatsoever is so tied or environed, as it cannot move but within a certain space, which space is determined by the opposition of some external body, we say it has not liberty to go further. And so of all living creatures, whilst they are imprisoned or restrained with walls or chains, and of the water, whilst it is kept in by banks or vessels that otherwise would spread itself into a larger space, we use to say they are not at liberty to move in such manner as without those external impediments they would. But when the impediment of motion is in the constitution of the thing itself, we use not to say it wants the liberty, but the power, to move; as when a stone lies still or a man is fastened to his bed by sickness.[3]

[108] What it is to be free. 2. And according to this proper and generally received meaning of the word, a Freeman is he that, in those things which by his strength and wit he is able to do, is not hindered to do what

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[1] *though of … much worse* King James I wrote, "For a king cannot be imagined to be so unruly and tyrannous, but the commonwealth will be kept in better order, notwithstanding thereof by him than it can be by his way-taking.... [I]t is better to live in a commonwealth where nothing is lawful, than [a commonwealth] where all things are lawful to all men" ("The Trew Law of Free Monarchies").

[2] *the practice* People's actual behavior.

[3] *Liberty or Freedom … by sickness* Liberty or freedom relates to the absence of *external* impediments to motion. Power relates to the *internal* constitution of a thing that makes it able to do things.

he has a will to. But when the words free and liberty are applied to anything but bodies, they are abused; for that which is not subject to motion is not subject to impediment; and therefore, when it is said, for example, the way[1] is free, no liberty of the way is signified, but of those that walk in it without stop. And when we say a gift is free, there is not meant any liberty of the gift, but of the giver, that was not bound by any law or covenant to give it. So when we speak freely, it is not the liberty of voice or pronunciation, but of the man whom no law has obliged to speak otherwise than he did. Lastly, from the use of the words free will, no liberty can be inferred of the will, desire, or inclination, but the liberty of the man, which consists in this, that he finds no stop in doing what he has the will, desire, or inclination to do.

Fear and liberty consistent.

3. Fear and liberty are consistent, as when a man throws his goods into the sea for *fear* the ship should sink, he does it nevertheless very willingly,[2] and may refuse to do it if he will; it is therefore the action of one that was *free*; so a man sometimes pays his debt only for *fear* of imprisonment, which, because no body hindered him from detaining, was the action of a man at *liberty*. And generally all actions which men do in commonwealths for *fear* of the law are actions which the doers had *liberty* to omit.[3]

Liberty and necessity consistent.

4. *Liberty* and *necessity* are consistent, as in the water that has not only *liberty* but a *necessity* of descending by the channel; so likewise in the actions which men voluntarily do, which, because they proceed from their will, proceed from *liberty*; and yet because every act of man's will and every desire and inclination proceeds from some cause, and that from another cause, in a continual chain (whose first link is in the hand of God, the first of all causes), proceed from *necessity*.[4] So that to him that could see the connection of those causes, the *necessity* of all men's voluntary actions would appear manifest. And therefore God, that sees and disposes all things, sees also that the *liberty* of man in doing what he will is accompanied with the *necessity* of doing that which God will and no more nor less. For though men may do many things which God does not command nor is therefore author of them;[5] yet they can have no passion nor appetite to anything of which appetite God's will is not the cause. And did not his will assure the *necessity* of man's will, and consequently of all that on man's will depends, the *liberty* of men would be a contradiction and impediment to the omnipotence and *liberty* of God. And this shall suffice, as to the matter in hand, of that natural *liberty*, which only is properly called *liberty*.

Artificial bonds, or covenants.

5. But as men, for the attaining of peace and conservation of themselves thereby, have made an artificial man, which we call a commonwealth, so also have they made artificial chains, called *civil laws*, which they themselves by mutual covenants [109] have fastened at one end to the lips of that man or assembly to whom they have given the sovereign power and at the other to their own ears. These bonds, in their own nature but weak, may nevertheless be made to hold by the danger, though not by the difficulty, of breaking them.

Liberty of subjects consists in liberty from covenants.

6. In relation to these bonds only it is that I am to speak now of the *liberty of subjects*. For seeing there is no commonwealth in the world wherein there be rules enough set down for the regulating of all the actions and words of men (as being a thing impossible); it follows necessarily that in all kinds of actions by the laws pretermitted,[6] men have the liberty of doing what their own reasons shall suggest for the most profitable to themselves. For if we take liberty in the proper sense, for cor-

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[1] *way* Path.

[2] *when a man ... very willingly* This example is from Aristotle, *Nicomachean Ethics* 3.1.

[3] *all actions ... to omit* Hobbes needs freedom to be consistent with fear, because fear motivates people to institute a sovereign.

[4] *liberty ... necessity* Liberty concerns absence of external impediments. Necessity concerns what must occur because there is a cause of it.

[5] *God, that sees ... author of them* Hobbes agrees with Calvin that God is the cause of sin. Many of Hobbes' contemporaries did not like the fine line he drew when he proposed that God is the cause of everything but not the author of everything, because he does not command people to sin.

[6] *pretermitted* Overlooked. Liberty is what is left over after the sovereign has issued all of his laws or commands.

poral liberty, that is to say, freedom from chains and prison, it were very absurd for men to clamor as they do for the liberty they so manifestly enjoy. Again, if we take liberty for an exemption from laws, it is no less absurd for men to demand as they do that liberty by which all other men may be masters of their lives. And yet as absurd as it is, this is it they demand, not knowing that the laws are of no power to protect them without a sword in the hands of a man or men to cause those laws to be put in execution. The liberty of a subject lies therefore only in those things which, in regulating their actions, the sovereign has pretermitted, such as is the liberty to buy, and sell, and otherwise contract with one another, to choose their own abode, their own diet, their own trade of life, and institute their children as they themselves think fit, and the like.

Liberty of the subject consistent with the unlimited power of the sovereign.

7. Nevertheless we are not to understand that by such liberty the sovereign power of life and death is either abolished or limited. For it has been already shown that nothing the sovereign representative can do to a subject, on what pretence soever, can properly be called injustice or injury, because every subject is author of every act the sovereign does, so that he never wants right to any thing, otherwise than as he himself is the subject of God and bound thereby to observe the laws of nature. And therefore it may and does often happen in commonwealths that a subject may be put to death by the command of the sovereign power and yet neither do the other wrong, as when Jephthah caused his daughter to be sacrificed;[1] in which, and the like cases, he that so dies had liberty to do the action for which he is nevertheless, without injury, put to death. And the same holds also in a sovereign prince that puts to death an innocent subject. For though the action be against the law of nature, as being contrary to equity, as was the killing of Uriah by David; yet it was not an injury to Uriah, but to God. Not to Uriah, because the right to do what he pleased was given him by Uriah himself; and yet to God, because David was God's subject and prohibited all iniquity by the law of nature, which distinction David himself, when he repented the fact, evidently confirmed, saying, *To thee only have I sinned.*[2] In the same manner the people of Athens, when they banished the most potent of their commonwealth for ten years, thought they committed no injustice; and yet they never questioned what crime he had done, but what hurt he would do; nay, they commanded the banishment of they knew not whom; and every citizen bringing his oyster shell into the market place, written with the name of him he desired should be banished, without actually accusing him sometimes[3] banished an Aristides,[4] for his reputation of justice, and sometimes a scurrilous jester, as Hyperbolus,[5] to make a jest of it. And yet a man cannot say the sovereign people of Athens wanted right to banish them, or an Athenian the liberty to jest, or to be just.

The liberty which writers praise, is the liberty of sovereigns, not of private men.

8. The liberty whereof there is so frequent and honorable mention in the histories and philosophy of the ancient Greeks and Romans and in the writings and discourse of those that from them have received all their learning in the politics is not the liberty of particular men, but the liberty of the commonwealth,[6] which is the same with that which every man then should have if there were no civil laws nor commonwealth at all. And the effects of it also be the same. For as

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[1] *when Jephthah ... be sacrificed* Jephthah's daughter innocently came to greet him after his military victory; he had made a vow to sacrifice the first to come to him if he won. See Judges 11.29–40.

[2] *To thee only have I sinned* Psalm 51.4. The story of David and Uriah is in 2 Samuel 11.

[3] *sometimes* At one time.

[4] *Aristides* Honored Athenian soldier and statesman (536–468 BCE), known as Aristides "the Just." He was nevertheless banished by ostracism in 482 BCE. This is commonly explained as a consequence of the jealousy of the Athenian populace who voted for his ostracism.

[5] *Hyperbolus* (?–411 BCE) Athenian politician. He was variously reported to be universally hated because of the power he wielded (springing from his persuasive rhetoric in the assembly), or, according to one source, because of "the degeneracy of his habits" (Philochorus, *Atthis*, Fragment 30). Hyperbolus was ostracized c. 417 BCE.

[6] *The liberty whereof ... of the commonwealth* Hobbes is criticizing the neo-Roman or republican theory of government in 21.8–15.

amongst masterless men there is perpetual war of every man against his neighbor, no inheritance to transmit to the son nor to expect from the father, no propriety of goods or lands, no security, but a full and absolute liberty in every particular man, so in states and commonwealths not dependent on one another every commonwealth (not every man) has an absolute liberty to do what it shall judge (that is to say, what that man or assembly that represents it shall judge) most conducing to their benefit. But withal they live in the condition of a perpetual war and upon the confines of battle, with their frontiers armed and cannons planted against their neighbors round about. The Athenians and Romans were free, that is, free commonwealths; not that any particular men had the liberty to resist their own representative, but that their representative had the liberty to resist, or invade, other people. There is written on the turrets of the city of Luca in great characters at this day the word Libertas; yet no man can thence infer that a particular man has more liberty or immunity from the service of the commonwealth there than in Constantinople. Whether a commonwealth be monarchical or popular, the freedom is still the same.

9. But it is an easy thing for men to be deceived by the specious name of liberty and (for want of judgment to distinguish) mistake that for their private inheritance and birthright which is the right of the public only. And when the same error is confirmed by the authority of men in reputation for their writings on this subject, it is no wonder if it produce sedition and change of government. In these western parts of the world we are made to receive our opinions concerning the institution and rights of commonwealths from Aristotle, Cicero, and other men, Greeks and Romans, that, living under popular states, derived those rights [111] not from the principles of nature, but transcribed them into their books out of the practice of their own commonwealths, which were popular, as the grammarians describe the rules of language out of the practice of the time or the rules of poetry out of the poems of Homer and Virgil. And because the Athenians were taught (to keep them from desire of changing their government) that they were freemen, and all that lived under monarchy were slaves, therefore Aristotle puts it down in his Politics, In democracy, Liberty is to be supposed; for it is commonly held that no man is Free in any other government.[1] And as Aristotle, so Cicero and other writers have grounded their civil doctrine on the opinions of the Romans, who were taught to hate monarchy, at first by them that, having deposed their sovereign, shared amongst them the sovereignty of Rome, and afterwards by their successors. And by reading of these Greek and Latin authors men from their childhood have gotten a habit, under a false show of liberty, of favoring tumults, and of licentious[2] controlling the actions of their sovereigns, and again of controlling those controllers, with the effusion of so much blood as I think I may truly say there was never anything so dearly bought as these western parts have bought the learning of the Greek and Latin tongues.

Liberty of subjects, how to be measured.

10. To come now to the particulars of the true liberty of a subject, that is to say, what are the things which, though commanded by the sovereign, he may nevertheless without injustice refuse to do, we are to consider what rights we pass away when we make a commonwealth or, which is all one, what liberty we deny ourselves by owning all the actions, without exception, of the man or assembly we make our sovereign. For in the act of our *submission* consists both our *obligation* and our *liberty*, which must therefore be inferred by arguments taken from thence; there being no obligation on any man which arises not from some act of his own; for all men equally are by nature free. And because such arguments must either be drawn from the express words, *I authorize all his actions*, or from the intention of him that submits himself to his power (which intention is to be understood by the end for which he so submits), the obligation and liberty of the subject is to be derived either from those words or others equivalent, or else from the end of the

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[1] *Aristotle ... other government* See Aristotle, *Politics*, 6.2. Aristotle, however, is in this passage reporting a common opinion, one that he does not seem to endorse elsewhere.

[2] *licentious* Lawless.

institution of sovereignty; namely, the peace of the subjects within themselves and their defense against a common enemy.[1]

Subjects have liberty to defend their own bodies, even against them that lawfully invade them.

11. First therefore, seeing sovereignty by institution is by covenant of every one to every one, and sovereignty by acquisition by covenants of the vanquished to the victor or child to the parent, it is manifest that every subject has liberty in all those things the right whereof cannot by covenant be transferred. I have shown before, in the fourteenth chapter, that covenants not to defend a man's own body are void. Therefore,

Are not bound to hurt themselves. [112]

12. If the sovereign command a man (though justly condemned) to kill, wound, or maim himself, or not to resist those that assault him, or to abstain from the use of food, air, medicine, or any other thing without which he cannot live; yet has that man the liberty to disobey.

13. If a man be interrogated by the sovereign or his authority, concerning a crime done by himself, [then] he is not bound (without assurance of pardon) to confess it, because no man, as I have shown in the same chapter, can be obliged by covenant to accuse himself.

14. Again, the consent of a subject to sovereign power is contained in these words, *I authorize, or take upon me, all his actions*, in which there is no restriction at all of his own former natural liberty; for by allowing him to *kill me*, I am not bound to kill myself when he commands me.[2] It is one thing to say, *Kill me, or my fellow, if you please*, another thing to say, *I will kill myself, or my fellow*.[3] It follows, therefore, that

15. No man is bound by the words themselves either to kill himself or any other man; and consequently, that the obligation a man may sometimes have, upon the command of the sovereign, to execute any dangerous or dishonorable office, depends not on the words of our submission, but on the intention, which is to be understood by the end thereof. When therefore our refusal to obey frustrates the end for which the sovereignty was ordained, then there is no liberty to refuse; otherwise, there is.

Nor to warfare, unless they voluntarily undertake it.

16. Upon this ground a man that is commanded as a soldier to fight against the enemy, though his sovereign have right enough to punish his refusal with death, may nevertheless in many cases refuse without injustice, as when he substitutes a sufficient soldier in his place; for in this case he deserts not the service of the commonwealth. And there is allowance to be made for natural timorousness, not only to women (of whom no such dangerous duty is expected) but also to men of feminine courage. When armies fight, there is on one side or both a running away; yet when they do it not out of treachery, but fear, they are not esteemed to do it unjustly, but dishonorably. For the same reason to avoid battle is not injustice but cowardice. But he that enrolls himself a soldier, or takes impressed money, takes away the excuse of a timorous nature and is obliged, not only to go to the battle but also not to run from it without his captain's leave. And when the defense of the commonwealth requires at once the help of all that are able to bear arms, every one is obliged, because otherwise the institution of the commonwealth, which they have not the purpose or courage to preserve, was in vain.

17. To resist the sword of the commonwealth in defense of another man, guilty or innocent, no man has liberty, because such liberty takes away from the sovereign the means of protecting us and is therefore destructive of the very essence of government. But in case a great many men together have already resisted the sovereign power unjustly or committed some capital crime for which every

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[1] *the obligation ... common enemy* Hobbes is emphasizing his theory of authorization in this and the following paragraphs, and suppressing his theory of alienation. He is claiming here that authorization preserves the complete liberty of a subject and that political obligation arises from the subject's intention in entering a civil state.

[2] *by allowing ... he commands me* Authorizing the sovereign to kill me does not impose any obligation on me. So if the sovereign tried to "command" me to kill myself, I would be under no obligation to do so.

[3] *It is one thing ... my fellow* The sentence "Kill me, or my fellow, if you please" authorizes the addressee to kill me or my fellow. The sentence "I will kill myself, or my fellow" would impose an obligation on me (in virtue of the future tense) if it were possible for a person to lay down his right to self-preservation. But it is not.

one of them expects death, whether have they not the liberty then to join together, and assist, and defend one another? Certainly they have; for [113] they but defend their lives, which the guilty man may as well do as the innocent. There was indeed injustice in the first breach of their duty; their bearing of arms subsequent to it, though it be to maintain what they have done, is no new unjust act. And if it be only to defend their persons, it is not unjust at all. But the offer of pardon takes from them to whom it is offered the plea of self-defense, and makes their perseverance in assisting or defending the rest unlawful.

The greatest liberty of subjects, depends on the silence of the law.

18. As for other liberties, they depend on the silence of the law. In cases where the sovereign has prescribed no rule, there the subject has the liberty to do or forbear, according to his own discretion. And therefore such liberty is in some places more and in some less, and in some times more, in other times less, according as they that have the sovereignty shall think most convenient. As for example, there was a time when in England a man might enter into his own land (and dispossess such as wrongfully possessed it) by force. But in after times that liberty of forcible entry was taken away by a statute made (by the king) in parliament. And in some places of the world men have the liberty of many wives; in other places, such liberty is not allowed.

19. If a subject have a controversy with his sovereign of[1] debt, or of right of possession of lands or goods, or concerning any service required at his hands, or concerning any penalty, corporal or pecuniary, grounded on a precedent law, he has the same liberty to sue for his right as if it were against a subject, and before such judges as are appointed by the sovereign. For seeing the sovereign demands by force of a former law and not by virtue of his power, he declares thereby that he requires no more than shall appear to be due by that law. The suit therefore is not contrary to the will of the sovereign, and consequently the subject has the liberty to demand the hearing of his cause, and sentence according to that law. But if he demand or take anything by pretence of his power, there lies, in that case, no action of law; for all that is done by him in virtue of his power is done by the authority of every subject, and consequently, he that brings an action against the sovereign brings it against himself.

20. If a monarch or sovereign assembly grant a liberty to all or any of his subjects, which grant standing [and if as a result of this], he is disabled to provide for their safety, [then] the grant is void, unless he directly renounce or transfer the sovereignty to another. For in that he might openly (if it had been his will) and in plain terms have renounced or transferred it and did not, it is to be understood it was not his will, but that the grant proceeded from ignorance of the repugnancy[2] between such a liberty and the sovereign power; and therefore the sovereignty is still retained, and consequently all those powers which are necessary to the exercising thereof, such as are the power of war and peace, of judicature, of appointing officers and counselors, of levying money, and the rest named in the eighteenth chapter.

In what cases subjects are absolved of their obedience to their sovereign.

21. The obligation of subjects to the sovereign [114] is understood to last as long [as] and no longer than the power lasts by which he is able to protect them. For the right men have by nature to protect themselves, when none else can protect them, can by no covenant be relinquished. The sovereignty is the soul of the commonwealth, which, once departed from the body, the members do no more receive their motion from it. The end of obedience is protection, which, wheresoever a man sees it either in his own or in another's sword, nature applies his obedience to it and his endeavor to maintain it. And though sovereignty, in the intention of them that make it, be immortal; yet is it in its own nature not only subject to violent death by foreign war, but also through the ignorance and passions of men, it has in it from the very institution many seeds of a natural mortality, by intestine[3] discord.

In case of captivity.

22. If a subject be taken prisoner in war or his person or his means of life be within the guards of the enemy, and has his life and corporal liberty

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[1] *of* Regarding.

[2] *repugnancy* Conflict.

[3] *intestine* Internal.

given him on condition to be subject to the victor, [then] he has liberty to accept the condition; and, having accepted it, is the subject of him that took him, because he had no other way to preserve himself. The case is the same if he be detained on the same terms in a foreign country. But if a man be held in prison or bonds or is not trusted with the liberty of his body, he cannot be understood to be bound by covenant to subjection and therefore may, if he can, make his escape by any means whatsoever.

In case the sovereign cast off the government from himself and his heirs.

23. If a monarch shall relinquish the sovereignty, both for himself and his heirs, his subjects return to the absolute liberty of nature; In case the sovereign cast off nature, because, though nature may declare who are his sons and who are the nearest of his kin; yet it depends on his own will, as has been said in the precedent chapter,[1] who shall be his heir. If therefore he will have no heir, there is no sovereignty, nor subjection. The case is the same if he die without known kindred and without declaration of his heir. For then there can no heir be known, and consequently no subjection be due.

In case of banishment.

24. If the sovereign banish his subject, [then] during the banishment he is not subject. But he that is sent on a message or has leave to travel is still subject, but it is by contract between sovereigns, not by virtue of the covenant of subjection. For whosoever enters into another's dominion is subject to all the laws thereof, unless he have a privilege by the amity[2] of the sovereigns or by special license.

In case the sovereign render himself subject to another.

25. If a monarch subdued by war render himself subject to the victor, his subjects are delivered from their former obligation and become obliged to the victor. But if he be held prisoner or have not the liberty of his own body, he is not understood to have given away the right of sovereignty; and therefore his subjects are obliged to yield obedience to the magistrates formerly placed, governing not in their own name, but in his. For, his right remaining, the question is only of the administration, that is to say, of the magistrates and officers, which if he have not means to name, [115] he is supposed to[3] approve those which he himself had formerly appointed.

[...]

Chapter 26: Of Civil Laws

Civil law, what.

1. By Civil Laws, I understand the laws that men are therefore bound to observe, because they are members, not of this or that commonwealth in particular, but of a commonwealth. For the knowledge of particular laws belongs to them [137] that profess the study of the laws of their several countries; but the knowledge of civil law in general to any man. The ancient law of Rome was called their *civil law* from the word *civitas*, which signifies a commonwealth; and those countries which, having been under the Roman Empire and governed by that law, retain still such part thereof as they think fit, call that part the civil law to distinguish it from the rest of their own civil laws. But that is not it I intend to speak of here, my design being not to show what is law here and there, but what is law, as Plato, Aristotle, Cicero, and divers others have done, without taking upon them the profession of the study of the law.

2. And first it is manifest that law in general is not counsel, but command, nor a command of any man to any man, but only of him whose command is addressed to one formerly obliged to obey him. And as for civil law, it adds only the name of the person commanding, which is *persona civitatis*, the person of the commonwealth.

3. Which considered, I define civil law in this manner. Civil Law *is to every subject those rules which the commonwealth has commanded him (by word, writing, or other sufficient sign of the will) to make use of, for the distinction of right and wrong, that is to say, of what is contrary and what is not contrary to the rule.*

4. In which definition there is nothing that is not at first sight evident. For every man sees that some laws are addressed to all the subjects in general, some to particular provinces, some to particular vocations, and some to particular men;

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[1] *the precedent chapter* Apparently 29.20.

[2] *amity* Friendly agreements.

[3] *supposed to* Presumed to.

and are therefore laws to every of those to whom the command is directed, and to none else. As also, that laws are the rules of just and unjust, nothing being reputed unjust that is not contrary to some law. Likewise, that none can make laws but the commonwealth, because our subjection is to the commonwealth only; and that commands are to be signified by sufficient signs, because a man knows not otherwise how to obey them. And therefore, whatsoever can from this definition by necessary consequence be deduced, ought to be acknowledged for truth. Now I deduce from it this that follows.

1. The sovereign is legislator.

5. The legislator in all commonwealths is only the sovereign, be he one man, as in a monarchy, or one assembly of men, as in a democracy or aristocracy. For the legislator is he that makes the law. And the commonwealth only prescribes and commands the observation of those rules which we call law; therefore the commonwealth is the legislator. But the commonwealth is no person, nor has capacity to do anything but by the representative, that is, the sovereign; and therefore the sovereign is the sole legislator.[1] For the same reason, none can abrogate a law made, but the sovereign, because a law is not abrogated but by another law that forbids it to be put in execution.

2. And not subject to civil law.

6. The sovereign of a commonwealth, be it an assembly or one man, is not subject to the civil laws. For having power to make and repeal laws, [138] he may, when he pleases, free himself from that subjection by repealing those laws that trouble him and making of new, and consequently he was free before. For he is free that can be free when he will; nor is it possible for any person to be bound to himself, because he that can bind can release; and therefore he that is bound to himself only is not bound.

3. Use, a law not by virtue of time, but of the sovereign's consent.

7. When long use obtains the authority of a law, it is not the length of time that makes the authority, but the will of the sovereign signified by his silence (for silence is sometimes an argument of consent);[2] and it is no longer law, than the sovereign shall be silent therein. And therefore if the sovereign shall have a question of right grounded, not upon his present will, but upon the laws formerly made, the length of time shall bring no prejudice to his right; but the question shall be judged by equity. For many unjust actions and unjust sentences go uncontrolled a longer time than any man can remember. And our lawyers account no customs law but such as are reasonable, and that evil customs are to be abolished; but the judgment of what is reasonable and of what is to be abolished, belonged to him that makes the law, which is the sovereign assembly or monarch.

4. The law of nature and the civil law contain each other.

8. The law of nature and the civil law contain each other and are of equal extent.[3] For the laws of nature, which consist in equity, justice, gratitude, and other moral virtues on these depending, in the condition of mere nature (as I have said before in the end of the fifteenth Chapter), are not properly laws, but qualities that dispose men to peace and to obedience. When a commonwealth is once settled, then are they actually laws, and not before, as being then the commands of the commonwealth; and therefore also civil laws; for it is the sovereign power that obliges men to obey them. For the differences of private men to declare what is equity, what is justice, and is moral virtue, and to make them binding, there is need of the ordinances of sovereign power; and punishments to be ordained for such as shall break them, which ordinances are therefore part of the civil law. The law of nature therefore is a part of the civil law in all commonwealths of the world. Reciprocally also, the civil law is a part of the dictates of nature. For justice, that is to say, performance of covenant and giving to every man his own is a dictate

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[1] *therefore the sovereign is the sole legislator* England had long been a monarchy prior to 1649 and became one again with the Restoration in 1660: Hobbes thought that parliament had no part in England's sovereignty and that the belief that it did had helped to cause the English Civil War.

[2] *When long use ... argument of consent* Hobbes is probably criticizing Edward Coke, the great advocate of Common Law. Hobbes criticized his views at greater length in *A Dialogue Between a Philosopher and a Student of the Common Laws of England.*

[3] *The law of nature ... of equal extent* Hobbes must be speaking metaphorically since the relation "x contains y" is asymmetric: if x contains y, then y cannot contain x. Hobbes certainly thought that civil laws entail the laws of nature. It is harder to see the converse.

of the law of nature. But every subject in a commonwealth has covenanted to obey the civil law; either one with another, as when they assemble to make a common representative, or with the representative itself one by one when, subdued by the sword, they promise obedience that they may receive life; and therefore obedience to the civil law is part also of the law of nature. Civil and natural law are not different kinds, but different parts of law, whereof one part, being written, is called civil, the other unwritten, natural. But the right of nature, that is, the natural liberty of man, may by the civil law be abridged and restrained, nay, the end of making laws is no other but such restraint, without which there cannot possibly be [139] any peace. And law was brought into the world for nothing else but to limit the natural liberty of particular men in such manner as they might not hurt, but assist one another, and join together against a common enemy.

5. Provincial laws are not made by custom, but by the sovereign power.

9. If the sovereign of one commonwealth subdue a people that have lived under other written laws and afterwards govern them by the same laws by which they were governed before; yet those laws are the civil laws of the victor and not of the vanquished commonwealth. For the legislator is he, not by whose authority the laws were first made, but by whose authority they now continue to be laws. And therefore where there be divers provinces within the dominion of a commonwealth and in those provinces diversity of laws, which commonly are called the customs of each several province, we are not to understand that such customs have their force only from length of time, but that they were anciently laws written or otherwise made known for the constitutions and statutes of their sovereigns, and are now laws, not by virtue of the prescription of time, but by the constitutions of their present sovereigns. But if an unwritten law in all the provinces of a dominion shall be generally observed and no iniquity appear in the use thereof, that law can be no other but a law of nature, equally obliging all mankind.

6. Some foolish opinions of lawyers concerning the making of laws.

10. Seeing then all laws, written and unwritten, have their authority and force from the will of the commonwealth, that is to say, from the will of the representative, which in a monarchy is the monarch and in other commonwealths the sovereign assembly, a man may wonder from whence proceed such opinions as are found in the books of lawyers of eminence in several commonwealths, directly or by consequence making the legislative power depend on private men or subordinate judges. As for example, *that the common law has no controller but the parliament*, which is true only where a parliament has the sovereign power and cannot be assembled nor dissolved, but by their own discretion.[1] For if there be a right in any else to dissolve them, there is a right also to control them and consequently to control their controllings. And if there be no such right, then the controller of laws is not *parlamentum*, but *rex in parlamento* [the king in parliament]. And where a parliament is sovereign, if it should assemble never[2] so many or so wise men from the countries subject to them for whatsoever cause; yet there is no man will believe that such an assembly has thereby acquired to themselves a legislative power. *Item* [also it has been claimed], that the two arms of a commonwealth are *force and justice, the first whereof is in the king, the other deposited in the hands of the parliament.*[3] As if a commonwealth could consist where the force were in any hand which justice had not the authority to command and govern.

7.

11. That law can never be against reason, our lawyers are agreed, and that not the letter (that is, every construction of it), but that which is according to the intention of the legislator is the law. And it is true; but the doubt is of whose reason it is that shall be received for[4] law. It is not [140] meant of any private reason; for then there would be as much contradiction in the laws as there is in the Schools; nor yet, as Sir Edward Coke makes it, an *artificial perfection of reason, gotten by long*

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[1] *which is true ... their own discretion* The English parliament when Hobbes was writing was assembled at the command of the monarch, and was also dissolved at his command.

[2] *never* Ever.

[3] *the first whereof ... the parliament* Hobbes is criticizing various actions by parliament in the early 1640s. For example, parliament organized a military force independent of the king.

[4] *received for* Accepted as.

Sir Edw. Coke upon Littleton, Book 2, Chapter 6, Folio 97, b.

study, observation, and experience, as his was. For it is possible long study may increase and confirm erroneous sentences; and where men build on false grounds, the more they build, the greater is the ruin; and of those that study and observe with equal time and diligence, the reasons and resolutions are and must remain discordant; and therefore it is not that *juris prudential*[1] or wisdom of subordinate judges, but the reason of this our artificial man the commonwealth and his command that makes law; and the commonwealth being in their representative but one person, there cannot easily arise any contradiction in the laws; and when there does [arise contradiction], the same reason is able, by interpretation or alteration, to take it away. In all courts of justice, the sovereign (which is the person of the commonwealth) is he that judges; the subordinate judge ought to have regard to the reason which moved his sovereign to make such law, that his sentence may be according thereunto, which then is his sovereign's sentence; otherwise it is his own, and an unjust one.

8. Law made, if not also made known, is no law.

12. From this, that the law is a command, and a command consists in declaration or manifestation of the will of him that commands by voice, writing, or some other sufficient argument of the same,[2] we may understand that the command of the commonwealth is law only to those that have means to take notice of it. Over natural fools, children, or madmen there is no law, no more than over brute beasts; nor are they capable of the title of just or unjust, because they had never power to make any covenant or to understand the consequences thereof, and consequently never took upon them to authorize the actions of any sovereign, as they must do that make to themselves a commonwealth. And as those from whom nature or accident has taken away the notice of all laws in general, so also every man, from whom any accident not proceeding from his own default, has taken away the means to take notice of any particular law, is excused if he observe it not; and to speak properly, that law is no law to him. It is therefore necessary to consider in this place what arguments and signs be sufficient for the knowledge of what is the law, that is to say, what is the will of the sovereign, as well in monarchies as in other forms of government.

Unwritten laws are all of them laws of nature.

13. And first, if it be a law that obliges all the subjects without exception and is not written nor otherwise published in such places as they may take notice thereof, it is a law of nature. For whatever men are to take knowledge of for[3] law, not upon other men's words, but every one from his own reason, must be such as is agreeable to the reason of all men; which no law can be, but the law of nature. The laws of nature therefore need not any publishing nor proclamation, as being contained in this one sentence, approved by all the world, *Do not that to another which thou thinkest unreasonable to be done by another to thyself.* [141]

14. Secondly, if it be a law that obliges only some condition of men or one particular man and be not written nor published by word, then also it is a law of nature and known by the same arguments and signs that distinguish those in such a condition from other subjects. For whatsoever law is not written or some way published by him that makes it law can be known no way but by the reason of him that is to obey it; and is therefore also a law not only civil, but natural. For example, if the sovereign employ a public minister, without written instructions what to do, [then] he is obliged to take for instructions the dictates of reason, as, if he make a judge, the judge is to take notice that his sentence ought to be according to the reason of his sovereign (which being always understood to be equity), he is bound to it by the law of nature; or if an ambassador, he is (in all things not contained in his written instructions), to take for instruction that which reason dictates to be most conducing to his sovereign's interest, and so of all other ministers of the sovereignty, public and private. All which instructions of natural reason may be comprehended under one name of *fidelity*, which is a branch of natural justice.

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[1] *juris prudential* Latin: science of the interpretation of law.

[2] *of the same* Similar.

[3] *take knowledge of for* Know to be.

15. The law of nature excepted, it belonged to the essence of all other laws to be made known to every man that shall be obliged to obey them, either by word or writing or some other act known to proceed from the sovereign authority. For the will of another cannot be understood but by his own word or act or by conjecture taken from his scope and purpose, which in the person of the commonwealth is to be supposed always consonant to[1] equity and reason. And in ancient time, before letters were in common use, the laws were many times put into verse, [in order] that the rude people, taking pleasure in singing or reciting them, might the more easily retain them in memory. And for the same reason Solomon advises a man to bind the Ten Commandments upon his ten fingers. And for the Law which Moses gave to the people of Israel at the renewing of the Covenant, he bids them to teach it to their children by discoursing of it both at home and upon the way at going to bed and at rising from bed; and to write it upon the posts and doors of their houses and to assemble the people, man, woman, and child, to hear it read.

Proverbs 7.3.

Deuteronomy 11.19.

Deuteronomy 31.12.

Nothing is law where the legislator cannot be known.

16. Nor is it enough the law be written and published, but also that there be manifest signs that it proceeds from the will of the sovereign. For private men, when they have or think they have force enough to secure their unjust designs and convoy them safely to their ambitious ends, may publish for laws what they please, without or against the legislative authority. There is therefore requisite not only a declaration of the law, but also sufficient signs of the author and authority.[2] The author or legislator is supposed in every commonwealth to be evident, because he is the sovereign, who, having been constituted by the consent of every one, is supposed by every one to be sufficiently known. And though the ignorance and security of men be such, for the most part, as [142] that when the memory of the first constitution of their commonwealth is worn out,[3] they do not consider by whose power they use to be defended against their enemies and to have their industry protected and to be righted when injury is done them; yet because no man that considers can make question of it, no excuse can be derived from the ignorance of where the sovereignty is placed. And it is a dictate of natural reason and consequently an evident law of nature that no man ought to weaken that power, the protection whereof he has himself demanded or wittingly received against others. Therefore of who is sovereign, no man but by his own fault (whatsoever evil men suggest), can make any doubt. The difficulty consists in the evidence of the authority derived from him, the removing whereof depends on the knowledge of the public registers, public counsels, public ministers, and public seals, by which all laws are sufficiently verified; verified, I say, not authorized; for the verification is but the testimony and record, not the authority of the law, which consists in the command of the sovereign only.

Difference between verifying and authorizing.

The law verified by the subordinate judge.

17. If therefore a man have a question of injury, depending on the law of nature,[4] that is to say, on common equity, the sentence of the judge, that by commission has authority to take cognizance of such causes, is a sufficient verification of the law of nature in that individual case. For though the advice of one that professes the study of the law be useful for the avoiding of contention; yet it is but advice; it is the judge must tell men what is law, upon the hearing of the controversy.

By the public registers.

18. But when the question is of injury or crime upon a written law, every man by recourse to the registers by himself or others may, if he will, be sufficiently informed before he do such injury or commit the crime whether it be an injury or not; nay, he ought to do so; for when a man doubts whether the act he goes about be just or unjust, and may inform himself if he will, the doing is unlawful. In like manner, he that supposes himself injured in a case determined by the written law, which he may by himself or others see and consider; if he complain before he con-

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[1] *consonant to* Consistent with.

[2] *a declaration … the author and authority* In traditional terms, this is the requirement that a law must be promulgated.

[3] *worn out* Faded.

[4] *depending on the law of nature* The injury in question is claimed to be a violation of a law of nature.

sults with the law, he does unjustly, and bewrays [betrays] a disposition rather to vex other men than to demand his own right.

By letters patent[1] and by public seal.[2]

19. If the question be of obedience to a public officer, to have seen his commission (with the public seal) and heard it read, or to have had the means to be informed of it, if a man would, is a sufficient verification of his authority. For every man is obliged to do his best endeavor to inform himself of all written laws that may concern his own future actions.

The interpretation of the law depends on the sovereign power.

20. The legislator [being] known, and the laws either by writing or by the light of nature sufficiently published, there wants yet another very material circumstance to make them obligatory. For it is not the letter, but the intendment or meaning, that is to say, the authentic interpretation of the law (which is the sense of the legislator), in which the nature of the law consists; and [143] therefore the interpretation of all laws depends on the authority sovereign; and the interpreters can be none but those which the sovereign, to whom only the subject owes obedience, shall appoint. For else, by the craft of an interpreter, the law may be made to bear a sense contrary to that of the sovereign, by which means the interpreter becomes the legislator.

All laws need interpretation.

21. All laws, written and unwritten, have need of interpretation. The unwritten law of nature, though it be easy to such as without partiality and passion make use of their natural reason and therefore leaves the violators thereof without excuse; yet considering there be very few, perhaps none, that in some cases are not blinded by self-love or some other passion, it is now become of all laws the most obscure and has consequently the greatest need of able interpreters. The written laws, if laws, if they be short, are easily misinterpreted, for the divers significations of a word or two; if long, they be more obscure by the divers significations of many words, insomuch as no written law, delivered in few or many words, can be well understood without a perfect understanding of the final causes[3] for which the law was made, the knowledge of which final causes is in the legislator. To him therefore there cannot be any knot in the law insoluble either by finding out the ends to undo it by or else by making what ends he will (as Alexander did with his sword in the Gordian knot)[4] by the legislative power; which no other interpreter can do.

The authentical interpretation of law is not that of writers.

22. The interpretation of the laws of nature in a commonwealth depends not on the books of moral philosophy. The authority of writers without the authority of the commonwealth makes not their opinions law, be they never so true. That which I have written in this treatise concerning the moral virtues and of their necessity for the procuring and maintaining peace, though it be evident truth, is not therefore presently law, but because in all commonwealths in the world it is part of the civil law. For though it be naturally reasonable; yet it is by the sovereign power that it is law; otherwise, it were a great error to call the laws of nature unwritten law, whereof we see so many volumes published and in them so many contradictions of one another and of themselves.

The interpreter of the law is the judge giving sentence *viva voce* in every particular case.

23. The interpretation of the law of nature is the sentence of the judge constituted by the sovereign authority to hear and determine such controversies as depend thereon, and consists in the application of the law to the present case. For in the act of judicature the judge does no more but consider whether the demand of the party be consonant to natural reason and equity; and the sentence he gives is therefore the interpretation of the law of nature; which interpretation is authentic, not because it is his private sentence, but because he gives it by authority of the sovereign, whereby it becomes the sovereign's sentence; which is law for that time to the parties pleading.

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[1] *letters patent* Open letters from persons in authority for various legal purposes.

[2] *by public seal* Authenticated by the official seal of the writer.

[3] *final causes* Aims.

[4] *Alexander ... Gordian knot* According to legend, whoever untied the Gordian knot would rule Asia. Supposedly, Alexander the Great "untied" the knot by cutting it with his sword. He went on to capture much of Asia. Metaphorically speaking, cutting the Gordian knot means dealing with a difficult problem by a bold shortcut.

[144] The sentence of a judge does not bind him or another judge to give like sentence in like cases ever after.

24. But because there is no judge subordinate nor sovereign, but may err in a judgment of equity, if afterward in another like case he find it more consonant to equity to give a contrary sentence, he is obliged to do it. No man's error becomes his own law nor obliges him to persist in it. Neither, for the same reason, becomes it a law to other judges, though sworn to follow it. For though a wrong sentence given by authority of the sovereign, if he know and allow it, in such laws as are mutable, be a constitution of a new law in cases in which every little circumstance is the same; yet in laws immutable, such as are the laws of nature, they are no laws to the same or other judges in the like cases for ever after. Princes succeed one another; and one judge passes, another cometh; nay, heaven and earth shall pass [away]; but not one tittle[1] of the law of nature shall pass; for it is the eternal law of God. Therefore all the sentences of precedent judges that have ever been cannot all together make a law contrary to natural equity. Nor any examples of former judges can warrant an unreasonable sentence or discharge the present judge of the trouble of studying what is equity (in the case he is to judge) from the principles of his own natural reason. For example sake, it is against the law of nature to punish the innocent; and innocent is he that acquits himself judicially and is acknowledged for innocent by the judge. Put[2] the case now that a man is accused of a capital crime, and seeing the power and malice of some enemy and the frequent corruption and partiality of judges, runs away for fear of the event and afterwards is taken and brought to a legal trial and makes it sufficiently appear he was not guilty of the crime and being thereof acquitted is nevertheless condemned to lose his goods; this is a manifest condemnation of the innocent. I say therefore that there is no place in the world where this can be an interpretation of a law of nature or be made a law by the sentences of precedent judges that had done the same. For he that judged it first judged unjustly; and no injustice can be a pattern of judgment to succeeding judges. A written law may forbid innocent men to fly,[3] and they may be punished for flying; but that flying for fear of injury should be taken for presumption of guilt after a man is already absolved of the crime judicially is contrary to the nature of a presumption, which has no place after judgment given. Yet this is set down by a great lawyer[4] for the common law of England: *If a man*, says he, *that is innocent be accused of felony, and for fear flies for the same; albeit he judicially acquits himself of the felony; yet if it be found that he fled for the felony, he shall, notwithstanding his innocency, forfeit all his goods, chattels, debts, and duties. For as to the forfeiture of them, the law will admit no proof against the presumption in law, grounded upon his flight.* Here you see *an innocent man, judicially acquitted, notwithstanding his innocency* (when no written law forbade him to fly) after his acquittal, *upon a presumption in law*, condemned to lose all the goods he hath. If the law ground upon his flight a presumption of the fact (which was capital), the sentence ought to have been capital: if [145] the presumption were not of the fact, for what then ought he to lose his goods? This therefore is no law of England; nor is the condemnation grounded upon a presumption of law, but upon the presumption of the judges. It is also against law to say that no proof shall be admitted against a presumption of law. For all judges, sovereign and subordinate, if they refuse to hear proof, refuse to do justice; for though the sentence be just; yet the judges that condemn, without hearing the proofs offered, are unjust judges; and their presumption is but prejudice; which no man ought to bring with him to the seat of justice whatsoever precedent judgments or examples he shall pretend to follow. There be other things of this nature, wherein men's judgments have been perverted by trusting to precedents; but this is enough to show that though the sentence of the judge be a law to the party pleading; yet it is no law to any judge that shall succeed him in that office.

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[1] *tittle* Tiniest bit.

[2] *Put* Consider.

[3] *fly* Flee.

[4] *great lawyer* Sir Edward Coke (1552–1634), whose theories Hobbes often attacked.

25. In like manner, when question is of the meaning of written laws, he is not the interpreter of them that writes a commentary upon them. For commentaries are commonly more subject to cavil[1] than the text, and therefore need other commentaries; and so there will be no end of such interpretation. And therefore unless there be an interpreter authorized by the sovereign, from which the subordinate judges are not to recede, the interpreter can be no other than the ordinary judges, in the same manner as they are in cases of the unwritten law; and their sentences are to be taken by them that plead for laws in that particular case, but not to bind other judges in like cases to give like judgments. For a judge may err in the interpretation even of written laws; but no error of a subordinate judge can change the law, which is the general sentence of the sovereign.

The difference between the letter and the sentence of the law.

26. In written laws men use to make a difference[2] between the letter and the sentence of the law; and when by the letter is meant whatsoever can be gathered from the bare words, it is well distinguished. For the significations of almost all are either in themselves or in the metaphorical use of them ambiguous; and [the words] may be drawn in argument to make many senses; but there is only one sense of the law. But if by the letter be meant the literal sense,[3] then the letter and the sentence or intention of the law is all one. For the literal sense is that which the legislator intended should by the letter of the law be signified. Now the intention of the legislator is always supposed to be equity; for it were a great contumely for a judge to think otherwise of the sovereign. He ought therefore, if the word of the law do not fully authorize a reasonable sentence, to supply it with the law of nature; or if the case be difficult, to respite[4] judgment till he have received more ample authority. For example, a written law ordains that he which is thrust out of his house by force shall be restored by force. It happens that a man by negligence leaves his house empty and returning is kept out by force, in which case there is no special law ordained. It is evident that this [146] case is contained in the same law; for else there is no remedy for him at all, which is to be supposed against the intention of the legislator. Again, the word of the law commands to judge according to the evidence. A man is accused falsely of a fact which the judge himself saw done by another, and not by him that is accused. In this case neither shall the letter of the law be followed to the condemnation of the innocent, nor shall the judge give sentence against the evidence of the witnesses, because the letter of the law is to the contrary; but [the judge] procure of the sovereign that another be made judge and himself witness. So that the incommodity that follows the bare words of a written law may lead him to the intention of the law, whereby to interpret the same the better; though no incommodity can warrant a sentence against the law. For every judge of right and wrong is not judge of what is commodious or incommodious to the commonwealth.

The abilities required in a judge.

27. The abilities required in a good interpreter of the law, that is to say, in a good judge, are not the same with those of an advocate,[5] namely, the study of the laws. For a judge, as he ought to take notice of the fact from none but the witnesses, so also he ought to take notice of the law from nothing but the statutes and constitutions of the sovereign, alleged in the pleading or declared to him by some that have authority from the sovereign power to declare them; and [the judge] need not take care beforehand what he shall judge; for it shall be given him what he shall say concerning the fact, by witnesses; and what he shall say in point of law, from those that shall in their pleadings show it and by authority interpret it upon the place.[6] The Lords of Parliament in England were judges; and most difficult causes have been heard and determined by them; yet few of them were much versed in the study of the laws, and fewer had made profession of them; and though

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[1] *cavil* Trivial objections.

[2] *use to make a difference* Customarily distinguish.

[3] *the literal sense* Traditionally, this meant *the sense intended by the author*, not, as it is today, the *dictionary meaning*. The literal sense of the law is the sense intended by the sovereign.

[4] *respite* Postpone.

[5] *advocate* Lawyer.

[6] *upon the place* At that time—that is, not in advance.

they consulted with lawyers that were appointed to be present there for that purpose; yet they alone had the authority of giving sentence. In like manner, in the ordinary trials of right, twelve men of the common people are the judges and give sentence, not only of the fact, but of the right; and pronounce simply for the complainant or for the defendant; that is to say, are judges not only of the fact, but also of the right; and in a question of crime, not only determine whether done or not done, but also whether it be *murder, homicide, felony, assault,* and the like, which are determinations of law; but because they are not supposed to know the law of themselves, there is one that has authority to inform them of it in the particular case they are to judge of. But yet if they judge not according to that he tells them, they are not subject thereby to any penalty, unless it be made appear they did it against their consciences or had been corrupted by reward.

28. The things that make a good judge or good interpreter of the laws are, first, *a right understanding* of that principal law of nature called *equity*, which, depending not on the reading of other men's writings, but on the goodness of a man's own natural reason and meditation, is [147] presumed to be in those most that have had most leisure and had the most inclination to meditate thereon. Secondly, *contempt of unnecessary riches and preferments.* Thirdly, *to be able in judgment to divest himself of all fear, anger, hatred, love, and compassion.* Fourthly, and lastly, *patience to hear, diligent attention in hearing, and memory to retain, digest, and apply what he has heard.*

Divisions of law.

29. The difference and division[1] of the laws has been made in divers manners, according to the different methods of those men that have written of them. For it is a thing that depends not on nature, but on the scope of the writer, and is subservient to every man's proper method. In the *Institutions* of Justinian,[2] we find seven sorts of civil laws: The *edicts, constitutions,* and *epistles of the prince*, that is, of the emperor, because the 1. whole power of the people was in him. Like these are the proclamations of the kings of England.

30. *The decrees of the whole people of Rome* (comprehending the Senate), when they were 2. put to the question by the *Senate*. These were laws, at first, by the virtue of the sovereign power residing in the people; and such of them as by the emperors were not abrogated remained laws by the authority imperial. For all laws that bind are understood to be laws by his authority that has power to repeal them. Somewhat like to these laws are the Acts of Parliament in England.

31. *The decrees of the common people* (excluding the Senate), when they were put to the 3. question by the *tribune* of the people. For such of them as were not abrogated by the emperors, remained laws by the authority imperial. Like to these were the orders of the House of Commons in England.

32. *Senatus consulta*, the *orders of the Senate*, because when the people of Rome grew so num- 4. erous as it was inconvenient to assemble them, it was thought fit by the emperor that men should consult the Senate instead of the people: and these have some resemblance with the Acts of Council.

33. *The edicts of praetors*, and (in some cases) of the *aediles*,[3] such as are the chief justices in the 5. courts of England.

34. *Responsa prudentum*, which were the sentences and opinions of those lawyers to whom 6. the emperor gave authority to interpret the law, and to give answer to such as in matter of law demanded their advice; which answers the judges in giving judgment were obliged by the constitutions of the emperor to observe, and should be like the reports of cases judged, if other judges be by the law of England bound to observe them. For the judges of the common law of England are not properly judges, but *juris consulti*,[4] of whom the judges, who are either the lords or twelve men of the country, are in point of law to ask advice.

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[1] *difference and division* Classification.

[2] *Institutions of Justinian* Justinian I (c. 482–565), Eastern Roman Emperor, best known for his writings on Roman law, including a systematic treatise, *Institutiones*.

[3] *praetors ... aediles* These were two kinds of magistrates of ancient Rome. The praetors held the higher rank.

[4] *juris consulti* Lawyers.

35. Also, *unwritten customs* (which in their own nature are an imitation of law), by the tacit consent of the emperor, in case they be not contrary to the law of nature, are very laws.

36. Another division of laws is into *natural* [148] and *positive*. Natural are those which have been laws from all eternity, and are called not only natural, but also moral laws, consisting in the moral virtues, as justice, equity, and all habits of the mind that conduce to peace and charity, of which I have already spoken in the fourteenth and fifteenth chapters.

37. *Positive* are those which have not been from eternity, but have been made laws by the will of those that have had the sovereign power over others, and are either written or made known to men by some other argument of the will of their legislator.

Another division of law.

38. Again, of positive laws some are *human*, some *divine*; and of human positive laws, some are *distributive*, some *penal*. *Distributive* are those that determine the rights of the subjects, declaring to every man what it is by which he acquires and holds a propriety in lands or goods, and a right or liberty of action; and these speak to all the subjects. *Penal* are those which declare what penalty shall be inflicted on those that violate the law; and [they] speak to the ministers and officers ordained for execution.[1] For though every one ought to be informed of the punishments ordained beforehand for their transgression, nevertheless the command is not addressed to the delinquent (who cannot be supposed will faithfully punish himself), but to public ministers appointed to see the penalty executed. And these penal laws are for the most part written together with the laws distributive, and are sometimes called judgments. For all laws are general judgments, or sentences of the legislator, as also every particular judgment is a law to him whose case is judged.

Divine positive law how made known to be law.

39. *Divine positive laws* (for natural laws, being eternal and universal, are all divine) are those which, being the commandments of God, not from all eternity, nor universally addressed to all men, but only to a certain people or to certain persons, are declared for such by those whom God has authorized to declare them. But this authority of man to declare what be these positive laws of God, how can it be known? God may command a man by a supernatural way to deliver laws to other men. But because it is of the essence of law that he who is to be obliged be assured of the authority of him that declares it, which we cannot naturally take notice to be from God, *how can a man without supernatural revelations be assured of the revelation received by the declarer?* and *how can he be bound to obey them?* For the first question, how a man can be assured of the revelation of another without a revelation particularly to himself, it is evidently impossible; for though a man may be induced to believe such revelation from the miracles they see him do or from seeing the extraordinary sanctity of his life or from seeing the extraordinary wisdom or extraordinary felicity of his actions, all which are marks of God's extraordinary favor; yet they are not assured evidences [positive proof] of special revelation. Miracles are marvelous works; but that which is marvelous to one may not be so to another. Sanctity may be feigned; and the visible [149] felicities of this world are most often the work of God by natural and ordinary causes. And therefore no man can infallibly know by natural reason that another has had a supernatural revelation of God's will but only a belief; every one, as the signs thereof shall appear greater or lesser, a firmer or a weaker belief.[2]

40. But for the second,[3] how he can be bound to obey them, it is not so hard. For if the law declared be not against the law of nature (which is undoubtedly God's law) and he undertake to obey it, he is bound by his own act; bound I say

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[1] *ordained for execution* Appointed to enforce the laws.

[2] *know by natural reason ... weaker belief* Hobbes draws a sharp line between belief and knowledge. People can believe or have faith in some person who claims to have had a revelation from God. But this is never knowledge. Hobbes does not commit himself here on the question of whether the person who purportedly has the revelation knows that he had it.

[3] *the second* This was the second question posed about halfway through 26.39.

to obey it, but not bound to believe it;[1] for men's belief and interior cogitations are not subject to the commands, but only to the operation of God, ordinary or extraordinary. Faith of[2] supernatural law is not a fulfilling,[3] but only an assenting to the same and not a duty that we exhibit to God, but a gift which God freely gives to whom he pleases, as also unbelief is not a breach of any of his laws, but a rejection of them all, except the laws natural. But this that I say will be made yet clearer by the examples and testimonies concerning this point in Holy Scripture. The covenant God made with Abraham in a supernatural manner was thus, *This is the covenant which thou shalt observe between me and thee and thy seed after thee.* Genesis 17.10. Abraham's seed had not this revelation, nor were yet in being; yet they are a party to the covenant and bound to obey what Abraham should declare to them for God's law; which they could not be but in virtue of the obedience they owed to their parents, who (if they be subject to no other earthly power, as here in the case of Abraham) have sovereign power over their children and servants. Again, where God says to Abraham, *In thee shall all nations of the earth be blessed; for I know thou wilt command thy children and thy house after thee to keep the way of the Lord, and to observe righteousness and judgment*, it is manifest the obedience of his family, who had no revelation, depended on their former obligation to obey their sovereign. At Mount Sinai Moses only went up to God; the people were forbidden to approach on pain of death; yet were they bound to obey all that Moses declared to them for God's law. Upon what ground, but on this submission of their own, *Speak thou to us, and we will hear thee; but let not God speak to us, lest we die*?[4] By which two places it sufficiently appears that in a commonwealth a subject that has no certain and assured revelation particularly to himself concerning the will of God is to obey for such the command of the commonwealth; for if men were at liberty to take for God's commandments their own dreams and fancies or the dreams and fancies of private men, scarce two men would agree upon what is God's commandment; and yet in respect of them every man would despise the commandments of the commonwealth. I conclude, therefore, that in all things not contrary to the moral law (that is to say, to the law of nature), all subjects are bound to obey that for divine law which is declared to be so by the laws of the commonwealth.[5] Which also is evident to any man's reason; for whatsoever is not against the law of nature may be made law in the name of them that have the sovereign power; there is no reason men should be the less [150] obliged by it when it is propounded in the name of God. Besides, there is no place in the world where men are permitted to pretend[6] other commandments of God than are declared for such by the commonwealth. Christian states punish those that revolt from Christian religion; and all other states, those that set up any religion by them forbidden. For in whatsoever is not regulated by the commonwealth, it is equity (which is the law of nature, and therefore an eternal law of God) that every man equally enjoy his liberty.

Another division of laws.

41. There is also another distinction of laws into *fundamental* and *not fundamental*: but I could never see in any author what a fundamental law signifies. Nevertheless one may very reasonably distinguish laws in that manner.

A fundamental law, what?

42. For a fundamental law in every commonwealth is that which, being taken away, the commonwealth fails and is utterly dissolved, as a building whose foundation is destroyed. And therefore a fundamental law is that by which subjects are bound to uphold whatsoever power is given to the sovereign, whether a monarch or a sovereign assembly, without which the common-

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[1] *bound I say to obey it, but not bound to believe it* Hobbes' conventionalist answer—one is required to obey laws about religion commanded by the sovereign, but one is not required to believe them—drove his contemporaries to consternation, and has delighted cynics and some atheists since the eighteenth century.

[2] *Faith of* Faith in.

[3] *a fulfilling* Obeying it.

[4] *Speak thou ... lest we die* Exodus 20.19.

[5] *all subjects ... the commonwealth* Hobbes wants to preserve the status quo. Allowing each person to judge what God has revealed is politically destabilizing and hence dangerous.

[6] *pretend* Make a claim for.

wealth cannot stand; such as is the power of war and peace, of judicature, of election of officers, and of doing whatsoever he shall think necessary for the public good. Not fundamental is that, the abrogating whereof draws not with it the dissolution of the commonwealth; such as are the laws concerning controversies between subject and subject. Thus much of the division of laws.

Difference between law and right.

43. I find the words *lex civilis* and *jus civile*, that is to say, *law* and *right civil*, promiscuously used for the same thing, even in the most learned authors; which nevertheless ought not to be so. For *right* is liberty, namely that liberty which the civil law leaves us; but *civil law* is an *obligation*, and takes from us the liberty which the law of nature gave us. Nature gave a right to every man to secure himself by his own strength and to invade a suspected neighbor by way of prevention; but the civil law takes away that liberty, in all cases where the protection of the law may be safely stayed for. Insomuch as *lex* and *jus* are as different as *obligation* and *liberty*.

And between a law and a charter.

44. Likewise laws and charters are taken promiscuously for the same thing. Yet charters are donations[1] of the sovereign; and not laws, but exemptions from law. The phrase of a law is *jubeo*, *injungo*; *I command*, and *enjoin*: the phrase of a charter is *dedi*, *concessi*; *I have given, I have granted*: but what is given or granted to a man is not forced upon him by a law. A law may be made to bind all the subjects of a commonwealth; a liberty or charter is only to one man or some one part of the people. For to say all the people of a commonwealth have liberty in any case whatsoever is to say that, in such case, there has been no law made; or else, having been made, is now abrogated.

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Chapter 29: Of Those Things that Weaken or Tend to the Dissolution of a Commonwealth

Dissolution of commonwealths proceeds from their imperfect institution.[2]

1. Though nothing can be immortal which mortals make; yet, if men had the use of reason they pretend to, their commonwealths might be secured, at least, from perishing by internal diseases. For by the nature of their institution, they are designed to live as long as mankind or as the laws of nature or as justice itself, which gives them life. Therefore when they come to be dissolved, not by external violence, but intestine disorder, the fault is not in men as they are the matter, but as they are the makers and orderers of them. For men, as they become at last weary of irregular jostling and hewing[3] one another and desire with all their hearts to conform themselves into one firm and lasting edifice, so for want both of the art of making fit laws to square their actions by and also of humility and patience to suffer the rude and cumbersome points of their present greatness to be taken off, they cannot without the help of a very able architect be compiled into any other than a crazy building, such as, hardly lasting out their own time, must assuredly fall upon the heads of their posterity.

2. Amongst the *infirmities* therefore of a commonwealth, I will reckon in the first place those that arise from an imperfect institution and resemble the diseases of a natural body, which proceed from a defectuous[4] procreation.

Want of absolute power.

3. Of which this is one: that a man to obtain a kingdom is sometimes content with less power than to the peace and defense of the commonwealth is necessarily required. From whence it comes to pass that when the exercise of the power laid by is for the public safety to be resumed, it has the resemblance of an unjust act, which disposes great numbers of men, when occasion is presented, to rebel, in the same manner as the bodies of children, gotten by diseased parents, are subject either to untimely death or to purge the ill

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[1] *donations* Grants.

[2] *institution* Construction.

[3] *hewing* Striking blows at.

[4] *defectuous* Defective.

quality derived from their vicious conception, by breaking out into biles and scabs. And when kings deny themselves some such necessary power, it is not always (though sometimes) out of ignorance of what is necessary to the office they undertake, but many times out of a hope to recover the [168] same again at their pleasure;[1] wherein they reason not well, because such as will hold them to their promises shall be maintained against them by foreign commonwealths, who in order to the good of their own subjects let slip few occasions to weaken the estate of their neighbors. So was Thomas Becket,[2] Archbishop of Canterbury, supported against Henry the Second by the Pope, the subjection of ecclesiastics to the commonwealth having been dispensed with by William the Conqueror at his reception, when he took an oath not to infringe the liberty of the Church. And so were the barons, whose power was by William Rufus,[3] to have their help in transferring the succession from his elder brother to himself, increased to a degree inconsistent with the sovereign power, maintained in their rebellion against King John by the French.

4. Nor does this happen in monarchy only. For whereas the style[4] of the ancient Roman commonwealth was, The Senate and People of Rome, neither Senate nor people pretended to the whole power; which first caused the seditions of Tiberius Gracchus, Caius Gracchus, Lucius Saturninus, and others, and afterwards the wars between the Senate and the people under Marius and Sylla, and again under Pompey and Caesar to the extinction of their democracy and the setting up of monarchy.[5]

5. The people of Athens bound themselves but from one only action, which was that no man on pain of death should propound the renewing of the war for the island of Salamis; and yet thereby, if Solon[6] had not caused to be given out he was mad, and afterwards in gesture and habit of a madman, and in verse, propounded it to the people that flocked about him, they had had an enemy perpetually in readiness, even at the gates of their city; such damage or shifts are all commonwealths forced to that have their power never so little limited.

Private judgment of good and evil.

6. In the second place, I observe the diseases of a commonwealth that proceed from the poison of seditious doctrines, whereof one is that every private man is judge of good and evil actions. This is true in the condition of mere nature, where there are no civil laws, and also under civil government in such cases as are not determined by the law. But otherwise, it is manifest that the measure of good and evil actions is the civil law; and the judge [is] the legislator, who is always representative of the commonwealth. From this false doctrine, men are disposed to debate with themselves and dispute the commands of the commonwealth, and afterwards to obey or disobey them as in their private judgments they shall think fit, whereby the commonwealth is distracted and weakened.

Erroneous conscience.

7. Another doctrine repugnant to civil society is that whatsoever a man does against his conscience is sin; and it depends on the presumption of making himself judge of good and evil. For a man's conscience and his judgment is the same thing; and as the judgment, so also the conscience

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[1] *when kings ... their pleasure* Hobbes may be thinking of Charles I, who made concessions to Parliament in his "Reply to the Nineteen Propositions," which he probably intended to retract once he had sufficient power to do so.

[2] *Thomas Becket* English martyr (1118–70). King Henry II appointed Becket Archbishop of Canterbury with the expectation that he would support the king's position on the church. Becket did not and when Henry in anger said, "Will none of those who live off my bounty relieve me of this troublesome clerk?" four of Henry's knights murdered Becket in his cathedral.

[3] *William Rufus* King William II (c. 1060–1100) was son of William the Conqueror (c. 1027–87) and fought with Anselm of Canterbury over the issue of lay investiture. William was not well liked. He was shot in the back with an arrow while on a hunting party; no one was prosecuted for the crime.

[4] *style* Inscription used as signature.

[5] *Tiberius Gracchus ... of monarchy* Dates of these seditions [revolts]: Tiberius Gracchus: 132 BCE. Caius Gracchus: 121 BCE. Lucius Saturninus: 100 BCE. Marius and Sulla's civil war of 87 BCE, and Sulla's civil war of 82–81 BCE. Julius Caesar's civil war against Pompey, beginning in 48 BCE.

[6] *Solon* Athenian reformer, statesman, and lawgiver (c. 639–559 BCE). The rich opposed Solon's reforms.

may be erroneous. Therefore, though he that is [169] subject to no civil law sins in all he does against his conscience, because he has no other rule to follow but his own reason; yet it is not so with him that lives in a commonwealth, because the law is the public conscience by which he has already undertaken to be guided. Otherwise in such diversity as there is of private consciences, which are but private opinions, the commonwealth must needs be distracted, and no man dare to obey the sovereign power farther than it shall seem good in his own eyes.

Pretence of inspiration.

8. It has been also commonly taught that faith and sanctity are not to be attained by study and reason, but by supernatural inspiration or infusion. Which granted, I see not why any man should render a reason of his faith, or why every Christian should not be also a prophet; or why any man should take the law of his country rather than his own inspiration for the rule of his action. And thus we fall again into the fault of taking upon us to judge of good and evil, or to make judges of it such private men as pretend to be supernaturally inspired, to the dissolution of all civil government. Faith comes by hearing,[1] and hearing by those accidents which guide us into the presence of them that speak to us; which accidents are all contrived by God Almighty, and yet are not supernatural, but only, for the great number of them that concur to[2] every effect, unobservable. Faith and sanctity are indeed not very frequent; but yet they are not miracles, but brought to pass by education, discipline, correction, and other natural ways by which God works them in his elect, at such time as he thinks fit. And these three opinions, pernicious to peace and government, have in this part of the world proceeded chiefly from tongues and pens of unlearned divines, who, joining the words of Holy Scripture together otherwise is agreeable to reason, do what they can to make men think that sanctity and natural reason cannot stand together.

Subjecting the sovereign power to civil laws.

9. A fourth opinion repugnant to the nature of a commonwealth is this: *that he that has the sovereign power is subject to the civil laws.* It is true that sovereigns are all subject to the laws of nature, because such laws be divine and cannot by any man or commonwealth be abrogated. But to those laws which the sovereign himself, that is, which the commonwealth, makes, he is not subject. For to be subject to laws is to be subject to the commonwealth, that is, to the sovereign representative, that is, to himself which is not subjection, but freedom from the laws. Which error, because it sets the laws above the sovereign, sets also a judge above him, and a power to punish him; which is to make a new sovereign; and again for the same reason a third, to punish the second; and so continually without end, to the confusion[3] and dissolution of the commonwealth.

Attributing of absolute propriety to subjects.

10. A fifth doctrine that tends to the dissolution of a commonwealth is that every private man has an absolute propriety in his goods, such as excludes the right of the sovereign. Every man has indeed a propriety that excludes the right of every other subject; and he has it only from the sovereign power, without the protection whereof [170] every other man should have right to the same. But the right of the sovereign also be excluded, he cannot perform the office they have put him into, which is to defend them both from foreign enemies and from the injuries of one another, and consequently there is no longer a commonwealth.

11. And if the propriety of subjects exclude not the right of the sovereign representative to their goods, [then] much less to their offices of judicature or execution in which they represent the sovereign himself.

Dividing of the sovereign power.

12. There is a sixth doctrine, plainly and directly against the essence of a commonwealth, and it is this: *that the sovereign power may be divided.* For what is it to divide the power of a commonwealth, but to dissolve it; for powers divided mutually destroy each other. And for these doctrines men are chiefly beholding to some of those that, making profession of the laws, endeavor to make

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[1] *Faith comes by hearing* A reference to the Epistle to the Romans 10.17: "So then faith cometh by hearing, and hearing by the word of God."

[2] *concur to* Cooperate in producing.

[3] *confusion* Overthrow.

them depend upon their own learning, and not upon the legislative power.

Imitation of neighbor nations. 13. And as false doctrine, so also oftentimes the example of different government in a neighboring nation disposes men to alteration of the form already settled. So the people of the Jews were stirred up to reject God and to call upon the prophet Samuel for a king after the manner of the [other] nations;[1] so also the lesser cities of Greece were continually disturbed with seditions of the aristocratical and democratical factions, one part of almost every commonwealth desiring to imitate the Lacedaemonians,[2] the other, the Athenians. And I doubt not but many men have been contented to see the late troubles in England out of an imitation of the Low Countries,[3] supposing there needed no more to grow rich than to change, as they had done, the form of their government. For the constitution of man's nature is of itself subject to desire novelty; when therefore they are provoked to the same by the neighborhood also of those that have been enriched by it, it is almost impossible to be content with those that solicit them to change, and love the first beginnings, though they be grieved with the continuance of disorder, like hot bloods that, having gotten the itch, tear themselves with their own nails till they can endure the smart no longer.

Imitation of the Greeks and Romans. 14. And as to rebellion in particular against monarchy, one of the most frequent causes of it is the reading of the books of policy and histories of the ancient Greeks and Romans,[4] from which young men and all others that are unprovided of the antidote of solid reason, receiving a strong and delightful impression of the great exploits of war achieved by the conductors of their armies, receive withal a pleasing idea of all they have done besides; and [they] imagine their great prosperity not to have proceeded from the emulation of particular men, but from the virtue of their popular form of government, not considering the frequent seditions and civil wars produced by the imperfection of their policy. From the reading, I say, of such books, men have undertaken to kill their kings, because the Greek and Latin writers in their books and discourses of policy [171] make it lawful and laudable for any man so to do, provided before he do it he call him tyrant. For they say not *regicide*, that is, killing of a king, but *tyrannicide*, that is, killing of a tyrant, is lawful. From the same books they that live under a monarch conceive an opinion that the subjects in a popular commonwealth enjoy liberty, but that in a monarchy they are all slaves. I say, they that live under a monarchy conceive such an opinion, not they that live under a popular government, for they find no such matter. In sum, I cannot imagine how anything can be more prejudicial to a monarchy than the allowing of such books to be publicly read, without present applying such correctives of discreet masters as are fit to take away their venom; which venom I will not doubt to compare to the biting of a mad dog, which is a disease that physicians call *hydrophobia*[5] or *fear of water*. For as he that is so bitten has a continual torment of thirst and yet abhors water; and [he] is in such an estate as if the poison endeavored to convert him into a dog; so when a monarchy is once bitten to the quick by those democratical writers that continually snarl at that estate, it wants nothing more than a strong monarch, which nevertheless out of a certain *tyrannophobia* or fear of being strongly governed, when they have him, they abhor.

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[1] *the people ... the [other] nations* "Then all the elders of Israel gathered themselves together, and came to Samuel unto Ramah, And said unto him, 'Behold, thou art old, and thy sons walk not in thy ways. Now make us a king to judge us, like all the nations.' But the thing displeased Samuel, when they said, 'Give us a king to judge us'; and Samuel prayed unto the Lord. And the Lord said unto Samuel, 'Hearken unto the voice of the people in all that they say unto thee; for they have not rejected thee, but they have rejected me, that I should not reign over them'" (1 Samuel 8.4–7, Authorized Version).

[2] *Lacedaemonians* Spartans.

[3] *the Low Countries* Roughly, today's Belgium, Netherlands, and Luxembourg.

[4] *rebellion in particular ... Greeks and Romans* Hobbes genuinely hated the political views of such thinkers as Aristotle (as represented by his *Politics,* not his *Rhetoric*) and Cicero, who was a republican. Hobbes approved of other ancient Greek and Latin authors, such as Thucydides, whose history of the Peloponnesian war he translated.

[5] *hydrophobia* Rabies.

15. As there have been doctors that hold there be three souls in a man, so there be [doctors] also that think there may be more souls, that is, more sovereigns, than one in a commonwealth; and [they] set up a *supremacy* against [*supreme power* over] the *sovereignty*, *canons* against *laws*, and a *ghostly authority* against the *civil*, working on men's minds with words and distinctions that of themselves signify nothing, but bewray, by their obscurity, that there walks (as some think invisibly) another kingdom, as it were a kingdom of fairies, in the dark. Now seeing it is manifest that the civil power and the power of the commonwealth is the same thing; and that supremacy and the power of making canons and granting faculties, implies a commonwealth; it follows that where one is sovereign, another supreme; where one can make laws and another make canons, there must needs be two commonwealths, of one and the same subjects; which is a kingdom divided in itself and cannot stand. For notwithstanding the insignificant distinction of *temporal* and *ghostly*, they are still two kingdoms,[1] and every subject is subject to two masters.[2] For seeing the *ghostly* power challenges the right to declare what is sin, it challenges by consequence to declare what is law, sin being nothing but the transgression of the law; and again, the civil power challenging to declare what is law, every subject must obey two masters, who both will have their commands be observed as law, which is impossible. Or, if it be but one kingdom, [then] either the civil, which is the power of the commonwealth, must be subordinate to the ghostly, and then there is no sovereignty but the ghostly; or the ghostly must be subordinate to the temporal, and then there is no supremacy but the temporal. When therefore these two powers oppose one another, the commonwealth cannot but be in great danger of civil [172] war and dissolution. For the civil authority being more visible, and standing in the clearer light of natural reason, cannot choose but draw to it in all times a very considerable part of the people; and the spiritual, though it stand in the darkness of School distinctions and hard words; yet, because the fear of darkness and ghosts is greater than other fears, [the spiritual] cannot want a party sufficient to trouble and sometimes to destroy a commonwealth. And this is a disease which not unfitly may be compared to the epilepsy or falling sickness (which the Jews took to be one kind of possession by spirits) in the body natural. For as in this disease there is an unnatural spirit or wind in the head that obstructs the roots of the nerves and, moving them violently, takes the motion which naturally they should have from the power of the soul in the brain, thereby causes violent and irregular motions, which men call convulsions in the parts, insomuch as he that is seized therewith falls down sometimes into the water and sometimes into the fire, as a man deprived of his senses; so also in the body politic, when the spiritual power moves the members of a commonwealth by the terror of punishments and hope of rewards, which are the nerves of it, otherwise than by the civil power, which is the soul of the commonwealth, they ought to be moved; and [when] by strange and hard words suffocates their understanding, it must needs thereby distract the people and either overwhelm the commonwealth with oppression or cast it into the fire of a civil war.

Mixed government.

16. Sometimes also in the merely civil government there be more than one soul, as when the power of levying money, which is the nutritive faculty, has depended on a general assembly;[3] the power of conduct and command, which is the motive faculty, on one man;[4] and the power of making laws, which is the rational faculty, on the accidental consent, not only of those two, but also

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[1] *two kingdoms* Hobbes insisted that every citizen is subject to only one kingdom. This is one reason that he maintained that the kingdom of God did not exist at the present but would exist some time in the indefinite future, with Christ as the sovereign.

[2] *two masters* Matthew 5.24: "No man can serve two masters."

[3] *the power of levying ... general assembly* The monarch depended on the House of Commons to approve funds.

[4] *the power of conduct ... one man* Hobbes is thinking of the monarch of England.

of a third;[1] this endangers the commonwealth, sometimes for want of consent to good laws, but most often for want of such nourishment as is necessary to life and motion. For although few perceive that such government is not government, but division of the commonwealth into three factions, and call it mixed monarchy; yet the truth is that it is not one independent commonwealth, but three independent factions; nor one representative person, but three. In the kingdom of God there may be three persons independent, without breach of unity in God that reigns; but where men reign, that be subject to diversity of opinions, it cannot be so. And therefore if the king bear the person of the people, and the general assembly bear also the person of the people, and another assembly bear the person of a part of the people, they are not one person, nor one sovereign, but three persons and three sovereigns.

17. To what disease in the natural body of man I may exactly compare this irregularity of a commonwealth, I know not. But I have seen a man that had another man growing out of his side, with a head, arms, breast, and stomach of [173] his own; if he had had another man growing out of his other side, the comparison might then have been exact.

Want of money.

18. Hitherto I have named such diseases of a commonwealth as are of the greatest and most present danger. There be other, not so great, which nevertheless are not unfit to be observed. As first, the difficulty of raising money for the necessary uses of the commonwealth, especially in the approach of war.[2] This difficulty arises from the opinion that every subject has of a propriety in his lands and goods exclusive of the sovereign's right to the use of the same. From whence it comes to pass that the sovereign power, which foresees the necessities and dangers of the commonwealth (finding the passage of money to the public treasury obstructed by the tenacity of the people), whereas it ought to extend itself, to encounter and prevent such dangers in their beginnings, contracts itself as long as it can; and when it cannot longer, [the sovereign power] struggles with the people by stratagems of law to obtain little sums, which, not sufficing, he is fain [required] at last violently to open the way for present supply or perish; and, being put often to these extremities, at last reduces the people to their due temper[3] or else the commonwealth must perish.[4] Insomuch as we may compare this distemper[5] very aptly to an ague,[6] wherein, the fleshy parts being congealed or by venomous matter obstructed, the veins which by their natural course empty themselves into the heart, are not (as they ought to be) supplied from the arteries, whereby there succeeds at first a cold contraction and trembling of the limbs, and afterwards a hot and strong endeavor of the heart to force a passage for the blood; and before it can do that, contents itself with the small refreshments of such things as cool for a time, till, if nature be strong enough, it break at last the contumacy[7] of the parts obstructed and dissipates the venom into sweat; or, if nature be too weak, the patient dies.

Monopolies and abuses of publicans.

19. Again, there is sometimes in a commonwealth a disease which resembles the pleurisy; and that is when the treasury of the commonwealth, flowing out of its due course, is gathered together in too much abundance in one or a few private men, by monopolies or by farms of the public revenues; in the same manner as the blood in a pleurisy, getting into the membrane of the breast,

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[1] *the power of making ... a third* Hobbes is probably thinking of the House of Lords as the third faculty.

[2] *the difficulty ... approach of war* Charles had trouble getting money from Parliament through his entire reign, beginning with his first year of rule, 1625, when, contrary to tradition, Parliament refused to grant him the right to levy tonnage and poundage (customs duties). His imposition of Ship Money in 1634 was legal but extremely unpopular. Charles called his first Parliament since 1629 for the spring of 1640 in order to have funds approved to fight a second Bishops' War. When the members refused to consider levying money until their grievances had been resolved, Charles dissolved Parliament.

[3] *due temper* Proper state.

[4] *or else ... must perish* Although this looks like a prediction or generalization, Hobbes is thinking specifically of the English Civil War.

[5] *distemper* Disorder.

[6] *ague* Fever.

[7] *contumacy* Resistance.

breeds there an inflammation, accompanied with a fever and painful stitches.[1]

Popular men.

20. Also, the popularity of a potent subject, unless the commonwealth have very good caution of his fidelity, is a dangerous disease, because the people, which should receive their motion from the authority of the sovereign, by the flattery and by the reputation of an ambitious man, are drawn away from their obedience to the laws to follow a man of whose virtues and designs they have no knowledge. And this is commonly of more danger in a popular government than in a monarchy, because an army is of so great force and multitude as it may easily be made believe they are the [174] people. By this means it was that Julius Caesar, who was set up by the people against the Senate, having won to himself the affections of his army, made himself master both of Senate and people. And this proceeding of popular and ambitious men is plain rebellion, and may be resembled to the effects of witchcraft.

Excessive greatness of a town or multitude of corporations.

21. Another infirmity of a commonwealth is the immoderate greatness of a town,[2] when it is able to furnish out of its own circuit the number and expense of a great army, as also the great number of corporations,[3] which are as it were many lesser commonwealths in the bowels of a greater, like worms in the entrails of a natural man. To which may be added, the liberty of disputing against absolute power by pretenders to political prudence; which though bred for the most part in the lees [dregs] of the people; yet animated by false doctrines are perpetually meddling with the fundamental laws, to the molestation of the commonwealth, like the little worms which physicians call *ascarides*.[4]

Liberty of disputing against sovereign power.

22. We may further add the insatiable appetite or *bulimia* of enlarging dominion, with the incurable *wounds* thereby many times received from the enemy, and the *wens* [lumps] of ununited conquests, which are many times a burden, and with less danger lost than kept, as also the lethargy of ease, and consumption of riot and vain expense.

Dissolution of the commonwealth.

23. Lastly, when in a war, foreign or intestine, the enemies get a final victory, so as, the forces of the commonwealth keeping the field no longer, there is no further protection of subjects in their loyalty, then is the commonwealth Dissolved, and every man at liberty to protect himself by such courses as his own discretion shall suggest unto him. For the sovereign is the public soul, giving life and motion to the commonwealth, which expiring, the members are governed by it no more than the carcass of a man by his departed, though immortal, soul. For though the right of a sovereign monarch cannot be extinguished by the act of another; yet the obligation of the members may. For he that wants protection may seek it anywhere; and, when he has it, is obliged (without fraudulent pretence of having submitted himself out of fear) to protect his protection as long as he is able. But when the power of an assembly is once suppressed, the right of the same perishes utterly, because the assembly itself is extinct; and consequently, there is no possibility for sovereignty to re-enter.

Chapter 30: Of the Office of the Sovereign Representative

[175]

The procuration of the good of the people.

1. The Office[5] of the sovereign (be it a monarch or an assembly) consists in the end for which he was trusted with the sovereign power, namely the procuration of the safety of the people, to which he is obliged by the law of nature, and to render an account thereof to God, the Author of that law, and to none but him. But by safety here is not meant a bare preservation, but also all other contentments of life, which every man by lawful industry, without danger or hurt to the commonwealth, shall acquire to himself.

By instruction and laws.

2. And this is intended should be done, not by care applied to individuals, further than their

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[1] *stitches* Stabbing local pains.

[2] *town* Hobbes is thinking of London, which on the one hand, often opposed the king, and on the other, sometimes opposed Parliament. London raised its own army during the Civil War to protect the city against parliamentary troops.

[3] *corporations* Governments of incorporated towns.

[4] *ascarides* Roundworms that infect the intestine.

[5] *Office* Duty attached to position.

protection from injuries when they shall complain, but by a general providence,[1] contained in public instruction, both of doctrine and example; and in the making and executing of good laws to which individual persons may apply their own cases.

Against the duty of a sovereign to relinquish any essential right of sovereignty.

3. And because, if the essential rights of sovereignty (specified before in the eighteenth chapter) be taken away, the commonwealth is thereby dissolved, and every man returns into the condition and calamity of a war with every other man, which is the greatest evil that can happen in this life; it is the office of the sovereign to maintain those rights entire, and consequently against his duty, first, to transfer to another or to lay from himself any of them. For he that deserts the means deserts the ends; and he deserts the means that, being the sovereign, acknowledges himself subject to the civil laws, and renounces the power of supreme judicature; or of making war or peace by his own authority; or of judging of the necessities of the commonwealth; or of levying money and soldiers when and as much as in his own conscience he shall judge necessary; or of making officers and ministers both of war and peace; or of appointing teachers and examining what doctrines are conformable or contrary to the defense, peace, and good of the people. Secondly, it is against his duty to let the people be ignorant or misinformed of the grounds and reasons of those his essential rights, because thereby men are easy to be seduced and drawn to resist him when the commonwealth shall require their use and exercise.

4. And the grounds of these rights have the rather [greater] need to be diligently and truly taught, because they cannot be maintained by any civil law or terror of legal punishment. For a civil law that shall forbid rebellion (and such is [176] all resistance to the essential rights of sovereignty) is not (as a civil law) any obligation but by virtue only of the law of nature that forbids the violation of faith;[2] which natural obligation, if men know not, they cannot know the right of any law the sovereign makes. And for the punishment, they take it but for an act of hostility; which when they think they have strength enough, they will endeavor, by acts of hostility, to avoid.

Objection of those that say there are no principles of reason for absolute sovereignty.

5. As I have heard some say that justice is but a word, without substance, and that whatsoever a man can by force or art acquire to himself (not only in the condition of war, but also in a commonwealth) is his own, which I have already shown to be false; so there be also [some] that maintain that there are no grounds nor principles of reason to sustain those essential rights which make sovereignty absolute. For if there were, they would have been found out in some place or other; whereas we see there has not hitherto been any commonwealth where those rights have been acknowledged or challenged. Wherein they argue as ill, as if the savage people of America should deny there were any grounds or principles of reason so to build a house as to last as long as the materials, because they never yet saw any so well built. Time and industry produce every day new knowledge. And as the art of well building is derived from principles of reason, observed by industrious men that had long studied the nature of materials and the divers effects of figure and proportion, long after mankind began, though poorly, to build; so, long time after men have begun to constitute commonwealths, imperfect and apt to relapse into disorder, there may principles of reason be found out by industrious meditation, to make their constitution, excepting by external violence, everlasting. And such are those which I have in this discourse set forth; which, whether they come not into the sight of those that have power to make use of them or be neglected by them or not, concerns my particular interest, at this day, very little. But supposing that these of mine are not such principles of reason; yet I am sure they are principles from authority of Scripture, as I shall make it appear when I shall come to speak of the kingdom of God,[3] administered by Moses, over the Jews, his peculiar people by covenant.

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[1] *providence* Provision.

[2] *a civil law ... violation of faith* The obligation not to rebel is more basic than any obligation in civil laws. It exists in virtue of the laws of nature, certainly the first, since rebellion is war, and obviously also the third, that people are to keep their covenants (15.1).

[3] *when I ... of God* Chapter 40.

Objection from the incapacity of the vulgar.

6. But they say again that though the principles be right; yet common people are not of capacity enough to be made to understand them. I should be glad that the rich and potent subjects of a kingdom, or those that are accounted the most learned, were no less incapable than they. But all men know that the obstructions to this kind of doctrine proceed not so much from the difficulty of the matter, as from the interest of them that are to learn. Potent men digest hardly anything that sets up a power to bridle their affections; and learned men, anything that discovers their errors, and thereby their authority; whereas the common people's minds, unless they be tainted with dependence on the potent[1] or scribbled over with the opinions of their doctors[2] are like clean paper, fit to receive whatsoever by public authority shall [177] be imprinted in them. Shall whole nations be brought to acquiesce in the great mysteries of Christian religion, which are above reason, and millions of men be made believe that the same body may be in innumerable places at one and the same time,[3] which is against reason; and shall not men be able by their teaching and preaching, protected by the law, to make that received which is so consonant to reason that any unprejudicated man needs no more to learn it than to hear it?[4] I conclude therefore that in the instruction of the people in the essential rights which are the natural and fundamental laws of sovereignty, there is no difficulty, whilst a sovereign has his power entire, but what proceeds from his own fault or the fault of those whom he trusts in the administration of the commonwealth; and consequently, it is his duty to cause them so to be instructed; and not only his duty, but his benefit also and security against the danger that may arrive to himself in his natural person from rebellion.

Subjects are to be taught not to affect change of government.

7. And (to descend to particulars) the people are to be taught, first, that they ought not to be in love with any form of government they see in their neighbor nations, more than with their own, nor, (whatsoever present prosperity they behold in nations that are otherwise governed than they) to desire change. For the prosperity of a people ruled by an aristocratical or democratical assembly comes not from aristocracy nor from democracy, but from the obedience and concord of the subjects; nor do the people flourish in a monarchy because one man has the right to rule them, but because they obey him. Take away in any kind of state the obedience (and consequently the concord of the people) and they shall not only not flourish, but in short time be dissolved. And they that go about by disobedience to do no more than reform the commonwealth shall find they do thereby destroy it, like the foolish daughters of Peleus, in the fable, which desiring to renew the youth of their decrepit father, did by the counsel of Medea cut him in pieces and boil him, together with strange herbs, but made not of him a new man. This desire of change is like the breach of the first of God's commandments; for there God says, *Non habebis Deos alienos*: Thou shalt not have the Gods of other nations; and in another place concerning *kings*, that they are *gods*.[5]

Nor adhere[6] (against the sovereign) to popular men.

8. Secondly, they are to be taught that they ought not to be led with admiration of the virtue of any of their fellow subjects, how high soever he stand nor how conspicuously soever he shine in the commonwealth; nor [of any admiration of the virtue] of any assembly (except the sovereign assembly), so as to defer to them any obedience or honor appropriate to the sovereign only, whom (in their particular stations) they represent; nor to receive any influence from them, but such as is conveyed by them from the sovereign authority. For that sovereign cannot be imagined to love his people as he ought that is not jealous of them, but suffers [allows] them by the flattery of popular men to be seduced from their loyalty, as they have

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[1] *potent* Powerful.

[2] *doctors* Teachers.

[3] *the same ... the same time* Traditional stories of the lives of the saints contain many instances of bilocation and multilocation—appearance in two or more locations at the same time.

[4] *shall not men ... to hear it?* Since people have been taught to believe Christian mysteries and even some absurd doctrines, they certainly can be taught to believe the reasonable principles of political obedience.

[5] *that they are gods* Psalm 82.6: "I have said, Ye are gods; and all of you are children of the most High."

[6] *adhere* Become a follower.

often been, not only secretly, but openly, so as to proclaim marriage with them *in facie ecclesiae*[1] by [178] preachers, and by publishing the same in the open streets; which may fitly be compared to the violation of the second of the Ten Commandments.[2]

Nor to dispute the sovereign power.

9. Thirdly, in consequence to this, they ought to be informed how great a fault it is to speak evil of the sovereign representative (whether one man or an assembly of men) or to argue and dispute his power or any way to use his name irreverently, whereby he may be brought into contempt with his people and [with] their obedience (in which the safety of the commonwealth consists) slackened. Which doctrine the third Commandment[3] by resemblance points to.

And to have days set apart to learn their duty.

10. Fourthly, seeing people cannot be taught this, nor, when it is taught, remember it, nor after one generation past so much as know in whom the sovereign power is placed, without setting apart from their ordinary labor some certain times in which they may attend those that are appointed to instruct them; it is necessary that some such times be determined wherein they may assemble together, and (after prayers and praises given to God, the Sovereign of sovereigns), hear those their duties told them, and the positive laws, such as generally concern them all, read and expounded, and be put in mind of the authority that makes them laws. To this end had the Jews every seventh day a Sabbath,[4] in which the law was read and expounded; and in the solemnity whereof they were put in mind that their king was God; that having created the world in six days, he rested on the seventh day; and by their resting on it from their labor, that that God was their king, which redeemed them from their servile and painful labor in Egypt, and gave them a time, after they had rejoiced in God, to take joy also in themselves, by lawful recreation. So that the first table of the commandments is spent all in setting down the sum of God's absolute power, not only as God, but as King by pact (in peculiar) of the Jews; and [the first table] may therefore give light to those that have sovereign power conferred on them by the consent of men, to see what doctrine they ought to teach their subjects.

And to honor their parents.

11. And because the first instruction of children depends on the care of their parents, it is necessary that they should be obedient to them whilst they are under their tuition; and not only so, but that also afterwards (as gratitude requires) they acknowledge the benefit of their education by external signs of honor. To which end they are to be taught that originally the father of every man was also his sovereign lord, with power over him of life and death; and that the fathers of families, when by instituting a commonwealth they resigned that absolute power; yet it was never intended they should lose the honor due unto them for their education. For to relinquish such right was not necessary to the institution of sovereign power; nor would there be any reason why any man should desire to have children or take the care to nourish and instruct them, if they were afterwards to have no other benefit from them than from other men. And this accords with the fifth Commandment.[5]

[179] And to avoid doing of injury.

12. Again, every sovereign ought to cause justice to be taught, which (consisting in taking from no man what is his) is as much as to say, to cause men to be taught not to deprive their neighbors by violence or fraud of anything which by the sovereign authority is theirs. Of things held in propriety, those that are dearest to a man are his own life and limbs; and in the next degree (in most men) those that concern conjugal affection; and after them riches and means of living. Therefore the people are to be taught to abstain from violence to one another's person by private

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[1] *in facie ecclesiae* Latin: in the appearance [that is, the presence] of the church.

[2] *the second of the Ten Commandments* Different traditions number the commandments differently; sometimes "Thou shalt have no other gods before me" is considered to be the Second Commandment, and sometimes "Thou shalt not make thee any graven image."

[3] *third Commandment* "Thou shalt not take the name of the Lord thy God in vain."

[4] *Sabbath* The implied analogy here is with the fourth Commandment: "Remember the Sabbath and keep it holy."

[5] *fifth Commandment* "Honor thy father and thy mother."

revenges, from violation of conjugal honor, and from forcible rapine and fraudulent surreption[1] of one another's goods. For which purpose also it is necessary they be shown the evil consequences of false judgment, by corruption either of judges or witnesses, whereby the distinction of propriety is taken away, and justice becomes of no effect; all which things are intimated in the sixth, seventh, eighth, and ninth commandments.[2]

And to do all this sincerely from the heart.

13. Lastly, they are to be taught that not only the unjust facts [actions], but the designs and intentions to do them (though by accident hindered) are injustice; which consists in the [depravity] of the will, as well as in the irregularity of the act. And this is the intention of the tenth commandment[3] and the sum of the second table;[4] which is reduced all to this one commandment of mutual charity, *Thou shalt love thy neighbor as thy self*, as the sum of the first table is reduced to *the love of God*; whom they had then newly received as their king.

The use of universities.

14. As for the means and conduits by which the people may receive this instruction, we are to search by what means so many opinions contrary to the peace of mankind, upon weak and false principles, have nevertheless been so deeply rooted in them. I mean those which I have in the precedent chapter specified, as that men shall judge of what is lawful and unlawful, not by the law itself, but by their own consciences, that is to say, by their own private judgments; that subjects sin in obeying the commands of the commonwealth, unless they themselves have first judged them to be lawful; that their propriety in their riches is such as to exclude the dominion which the commonwealth has the same; that it is lawful for subjects to kill such as they call tyrants; that the sovereign power may be divided,[5] and the like; which come to be instilled into the people by this means. They whom necessity or covetousness keeps attent[6] on their trades and labor, and they, on the other side, whom superfluity or sloth carries after their sensual pleasures (which two sorts of men take up the greatest part of mankind), being diverted from the deep meditation which the learning of truth, not only in the matter of natural justice, but also of all other sciences necessarily requires, receive the notions of their duty chiefly from divines in the pulpit, and partly from such of their neighbors or familiar acquaintance as having the faculty of discoursing readily and plausibly seem wiser and better learned in cases of law and conscience than themselves. And the divines and such others as make show of learning [180] derive their knowledge from the universities and from the schools of law or from the books which by men eminent in those schools and universities have been published. It is therefore manifest that the instruction of the people depends wholly on the right teaching of youth in the universities. But are not (may some man say) the universities of England learned enough already to do that? Or is it you [who] will undertake to teach the universities? Hard questions. Yet to the first, I doubt not to answer, that till towards the latter end of Henry the Eighth, the power of the Pope was always upheld against the power of the commonwealth principally by the universities; and that the doctrines by so many preachers against the sovereign power of the king and by so many lawyers and others that had their education there, is a sufficient argument that, though the universities were not authors of those false doctrines, yet they knew not how to plant the true. For in such a contradiction of opinions, it is most certain that they have not been sufficiently instructed; and it is no wonder, if they yet retain a relish of that subtle liquor wherewith they were first seasoned against the civil authority. But to the latter ques-

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[1] *surreption* Theft.

[2] *sixth, seventh, eighth, and ninth commandments* "Thou shalt not": 6. "kill"; 7. "commit adultery"; 8. "steal"; 9. "bear false witness against thy neighbor."

[3] *tenth commandment* "Thou shalt not covet thy neighbor's house, thou shalt not covet thy neighbor's wife, nor his manservant, nor his maidservant, nor his ox, nor his ass, nor any thing that is thy neighbor's."

[4] *the second table* Traditionally, commandments 6 through 10.

[5] *the sovereign power may be divided* Many supporters of Parliament in the 1640s, and some royalists, thought that political authority in England was divided between the monarch and Parliament.

[6] *attent* Their attention.

tion, it is not fit nor needful for me to say either aye or no; for any man that sees what I am doing may easily perceive what I think.

15. The safety of the people requires further from him or them that have the sovereign power, that justice be equally administered to all degrees of people, that is, that as well the rich and mighty, as poor and obscure persons, may be righted of[1] the injuries done them, so as the great may have no greater hope of impunity, when they do violence, dishonor or any injury to the meaner sort, than when one of these does the like to one of them; for in this consists equity; to which, as being a precept of the law of nature, a sovereign is as much subject as any of the meanest of his people. All breaches of the law are offences against the commonwealth; but there be some that are also against private persons. Those that concern the commonwealth only may without breach of equity be pardoned; for every man may pardon what is done against himself, according to his own discretion. But an offence against a private man cannot in equity be pardoned without the consent of him that is injured, or reasonable satisfaction.

16. The inequality of subjects proceeds from the acts of sovereign power and therefore has no more place in the presence of the sovereign, that is to say, in a court of justice, than the inequality between kings and their subjects in the presence of the King of kings.[2] The honor of great persons is to be valued for their beneficence and the aids they give to men of inferior rank, or not at all. And the violences, oppressions, and injuries they do are not extenuated, but aggravated, by the greatness of their persons, because they have least need to commit them. The consequences of this partiality towards the great proceed in this manner. Impunity makes insolence; insolence, hatred; and hatred, an endeavor to pull down all oppressing and contumelious greatness, though with the ruin of the commonwealth.

[181] Equal taxes.

17. To equal justice appertains also the equal imposition of taxes; the equality whereof depends not on the equality of riches, but on the equality of the debt that every man owes to the commonwealth for his defense. It is not enough for a man to labor for the maintenance of his life, but also to fight (if need be) for the securing of his labor. They must either do as the Jews did after their return from captivity in re-edifying[3] the Temple, [namely, to] build with one hand and hold the sword in the other, or else they must hire others to fight for them. For the impositions that are laid on the people by the sovereign power are nothing else but the wages due to them that hold the public sword to defend private men in the exercise of several trades and callings. Seeing then the benefit that every one receives thereby is the enjoyment of life, which is equally dear to poor and rich; the debt which a poor man owes them that defend his life is the same which a rich man owes for the defense of his, saving that the rich, who have the service of the poor, may be debtors not only for their own persons, but for many more. Which considered, the equality of imposition consists rather in the equality of that which is consumed than of the riches of the persons that consume the same. For what reason is there that he which labors much and, sparing the fruits of his labor, consumes little should be more charged than he that, living idly, gets little and spends all he gets, seeing the one has no more protection from the commonwealth than the other? But when the impositions are laid upon those things which men consume, every man pays equally for what he uses; nor is the commonwealth defrauded by the luxurious waste of private men.

Public charity.

18. And whereas many men, by accident inevitable, become unable to maintain themselves by their labor, they ought not to be left to the charity of private persons, but to be provided for, as far forth as the necessities of nature require,

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[1] *be righted of* Given reparation for.

[2] *The inequality of subjects ... King of kings* Hobbes' assertion of the equality of all subjects is surprising, since he had lived off nobility for most of his life. The surprise is moderated somewhat by the fact that the House of Commons abolished the House of Lords on 19 March 1649, the same day that it declared England to be a "Commonwealth and Free State," and two days after abolishing the office of king.

[3] *re-edifying* Rebuilding.

by the laws of the commonwealth. For as it is uncharitableness in any man to neglect the impotent; so it is in the sovereign of a commonwealth, to expose them to the hazard of such uncertain charity.

Prevention of idleness.

19. But for such as have strong bodies the case is otherwise; they are to be forced to work; and to avoid the excuse of not finding employment, there ought to be such laws as may encourage all manner of arts, as navigation, agriculture, fishing, and all manner of manufacture that requires labor. The multitude of poor and yet strong people still increasing, they are to be transplanted into countries not sufficiently inhabited; where nevertheless they are not to exterminate those they find there, but constrain them to inhabit closer together, and not range a great deal of ground to snatch what they find, but to court each little plot with art[1] and labor, to give them their sustenance in due season. And when all the world is overcharged with inhabitants, then the last remedy of all is war, which provides for every man, by victory or death.

Good laws, what.

20. To the care of the sovereign belongs the making of good laws. But what is a good law? By a [182] good law, I mean not a just law; for no law can be unjust. The law is made by the sovereign power; and all that is done by such power is warranted and owned by every one of the people; and that which every man will have so, no man can say is unjust. It is in the laws of a commonwealth, as in the laws of gaming: whatsoever the gamesters all agree on is injustice to none of them. A good law is that which is *needful*, for the *good of the people*, and withal *perspicuous*.

Such as are necessary.

21. For the use of laws (which are but rules authorized) is not to bind the people from all voluntary actions, but to direct and keep them in such a motion as not to hurt themselves by their own impetuous desires, rashness, or indiscretion, as hedges are set, not to stop travelers, but to keep them in the way. And therefore a law that is not needful, having not the true end of a law, is not good. A law may be conceived to be good when it is for the benefit of the sovereign, though it be not necessary for the people, but it is not so. For the good of the sovereign and people cannot be separated. It is a weak sovereign that has weak subjects, and a weak people whose sovereign wants power to rule them at his will. Unnecessary laws are not good laws, but traps for money which, where the right of sovereign power is acknowledged, are superfluous; and where it is not acknowledged, insufficient to defend the people.

Such as are perspicuous.

22. The perspicuity consists not so much in the words of the law itself, as in a declaration of the causes and motives for which it was made. That is it that shows us the meaning of the legislator; and the meaning of the legislator known, the law is more easily understood by few than many words. For all words are subject to ambiguity; and therefore multiplication of words in the body of the law is multiplication of ambiguity; besides it seems to imply (by too much diligence) that whosoever can evade the words is without[2] the compass of the law. And this is a cause of many unnecessary processes.[3] For when I consider how short were the laws of ancient times, and how they grew by degrees still longer, methinks I see a contention between the penners and pleaders of the law; the former seeking to circumscribe the latter and the latter to evade their circumscriptions; and that the pleaders have got the victory. It belongs therefore to the office of a legislator (such as is in all commonwealths the supreme representative, be it one man or an assembly) to make the reason perspicuous why the law was made, and the body of the law itself as short, but in as proper and significant terms, as may be.

Punishments.

23. It belongs also to the office of the sovereign to make a right application of punishments and rewards. And seeing the end of punishing is not revenge and discharge of choler [anger], but correction either of the offender or of others by his example, the severest punishments are to be inflicted for those crimes that are of most danger to the public; such as are those which proceed from malice to the government established; those that spring from contempt of justice; those that

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[1] *art* Skill.

[2] *without* Outside.

[3] *processes* Legal proceedings.

[183] provoke indignation in the multitude; and those which, unpunished, seem authorized, as when they are committed by sons, servants, or favorites of men in authority; for indignation carries men, not only against the actors and authors of injustice, but against all power that is likely to protect them, as in the case of Tarquin, when for the insolent act of one of his sons he was driven out of Rome and the monarchy itself dissolved.[1] But crimes of infirmity, such as are those which proceed from great provocation, from great fear, great need, or from ignorance whether the fact be a great crime or not, there is place many times for lenity, without prejudice to the commonwealth; and lenity, when there is such place for it, is required by the law of nature. The punishment of the leaders and teachers in a commotion,[2] not the poor seduced people, when they are punished, can profit the commonwealth by their example. To be severe to people is to punish ignorance which may in great part be imputed to the sovereign, whose fault it was they were no better instructed.

Rewards. 24. In like manner it belongs to the office and duty of the sovereign to apply his rewards always so as there may arise from them benefit to the commonwealth; wherein consists their use and end; and is then done when they that have well served the commonwealth are, with as little expense of the common treasury as is possible, so well recompensed as others thereby may be encouraged, both to serve the same as faithfully as they can and to study the arts by which they may be enabled to do it better. To buy with money or preferment from a popular ambitious subject [his agreement] to be quiet and desist from making ill impressions in the minds of the people, has nothing of the nature of reward (which is ordained not for disservice, but for service past); nor a sign of gratitude, but of fear; nor does it tend to the benefit, but to the damage of the public. It is a contention with ambition, like that of Hercules[3] with the monster Hydra, which, having many heads, for every one that was vanquished there grew up three. For in like manner, when the stubbornness of one popular man is overcome with reward, there arise many more by the example, that do the same mischief in hope of like benefit; and as all sorts of manufacture, so also malice increases by being vendible [capable of being sold]. And though sometimes a civil war may be deferred by such ways as that; yet the danger grows still the greater, and the public ruin more assured. It is therefore against the duty of the sovereign, to whom the public safety is committed, to reward those that aspire to greatness by disturbing the peace of their country, and not rather to oppose the beginnings of such men with a little danger, than after a longer time with greater.

Counselors. 25. Another business of the sovereign is to choose good counselors; I mean such whose advice he is to take in the government of the commonwealth. For this word counsel (*consilium, corrupted from considium*[4]) is of a large signification and comprehends all assemblies of men that sit together, not only to deliberate what is to be done hereafter, but also to judge of facts [184] past and of law for the present. I take it here in the first sense only; and in this sense, there is no choice of counsel, neither in a democracy nor aristocracy, because the persons counseling are members of the person counseled. The choice of counselors therefore is proper to[5] monarchy, in which the sovereign that endeavors not to make choice of those that in every kind are the most able, discharges not his office as he ought to do. The most able counselors are they that have least hope of benefit by giving evil counsel and most knowledge of those things that conduce to the peace and defense of the commonwealth. It is a hard matter to know who expects benefit from public troubles; but the signs that guide to a just suspicion is the soothing of the people in their unreasonable or irremediable grievances by men whose estates are not sufficient to discharge their accustomed expenses, and may easily be observed by any one whom it concerns to know it. But to know who has most knowledge of the public affairs is yet harder; and they that know them need them a great deal the less. For to know who knows the rules almost of any art is a great degree of the knowledge of the same art, because no man can be assured of the truth of another's rules but he that is first taught to understand them. But the best signs of knowledge of any art are much conversing in it and constant good effects of it. Good counsel comes not by lot nor by inheritance; and therefore there is no more reason to expect good advice from the rich or noble in matter of state, than in delineating the dimensions of a fortress; unless we shall think there needs no method in the study of the politics (as there does in the study of geometry) but only to be lookers on; which is not so. For the politics is the harder study of the two. Whereas in these parts of Europe it has been taken for a right of certain persons to have place in the highest council of state by inheritance, it derived from the conquests of the ancient Germans; wherein many absolute lords, joining together to conquer other nations, would not enter into the confederacy without such privileges as might be marks of difference in time following between their posterity and the posterity of their subjects; which privileges being inconsistent with the sovereign power, by the favor of the sovereign they may seem to keep; but contending for them as their right, they must needs by degrees let them go and have at last no further honor than adheres naturally to their abilities.

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[1] *the case of Tarquin ... the monarchy itself dissolved* The monarchy was abolished (c. 509 BCE) after Tarquin's son (Sextus Tarquinus) raped Lucretia, the wife of his cousin Cullatinus. The entire Tarquin family was exiled.

[2] *commotion* Disturbance.

[3] *Hercules* Latin name for the Greek mythological figure Heracles. Killing the Hydra was one of his fabled ten labors.

[4] *consilium, corrupted from considium* Latin *consilium* means *counsel*; Hobbes is mistaken in thinking that this is derived from Latin *considium*, meaning *a sitting down together*.

[5] *is proper to* Belongs to.

26. And how able soever be the counselors in any affair, the benefit of their counsel is greater when they give every one his advice and the reasons of it apart, than when they do it in an assembly by way of orations, and when they have premeditated, than when they speak on the sudden [extemporaneously], both because they have more time to survey the consequences of action and are less subject to be carried away to contradiction through envy, emulation, or other passions arising from the difference of opinion.

27. The best counsel in those things that concern not other nations, but only the ease and benefit the subjects may enjoy, by laws that look only inward, is to be taken from the general [185] informations and complaints of the people of each province, who are best acquainted with their own wants, and ought therefore, when they demand nothing in derogation of the essential rights of sovereignty, to be diligently taken notice of. For without those essential rights, as I have often before said, the commonwealth cannot at all subsist.

Commanders.

28. A commander of an army in chief, if he be not popular, shall not be beloved, nor feared as he ought to be by his army, and consequently cannot perform that office with good success. He must therefore be industrious, valiant, affable, liberal[1] and fortunate, that he may gain an opinion both of sufficiency and of loving his soldiers. This is popularity and breeds in the soldiers both desire and courage to recommend themselves to his favor; and protects the severity of the general in punishing, when need is, the mutinous or negligent soldiers. But this love of soldiers, if caution be not given of the commander's fidelity, is a dangerous thing to sovereign power, especially when it is in the hands of an assembly not popular. It belongs therefore to the safety of the people, both that they be good conductors and faithful subjects, to whom the sovereign commits his armies.

29. But when the sovereign himself is popular, that is, reverenced and beloved of his people, there is no danger at all from the popularity of a subject. For soldiers are never so generally unjust as to side with their captain, though they love him, against their sovereign, when they love not only his person, but also his cause. And therefore those who by violence have at any time suppressed the power of their lawful sovereign before they could settle themselves in his place, have been always put to the trouble of contriving

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[1] *liberal* Generous.

their titles[1] to save the people from the shame of receiving them. To have a known right to sovereign power is so popular a quality as he that has it needs no more for his own part, to turn the hearts of his subjects to him, but that they see him able absolutely to govern his own family: nor, on the part of his enemies, but a disbanding of their armies. For the greatest and most active part of mankind has never hitherto been well contented with the present.

30. Concerning the offices of one sovereign to another, which are comprehended in that law which is commonly called the law of nations, I need not say anything in this place, because the law of nations and the law of nature is the same thing. And every sovereign has the same right in procuring the safety of his people, that any particular man can have in procuring the safety of his own body. And the same law that dictates to men that have no civil government what they ought to do, and what to avoid in regard of one another, dictates the same to commonwealths, that is, to the consciences of sovereign princes and sovereign assemblies; there being no court of natural justice, but in the conscience only, where not man, but God reigns, whose laws, such of them as oblige all [186] mankind, in respect of God, as he is the author of nature, are *natural*;[2] and in respect of the same God, as he is King of kings, are *laws*. But of the kingdom of God, as King of kings, and as King also of a peculiar people, I shall speak in the rest of this discourse.

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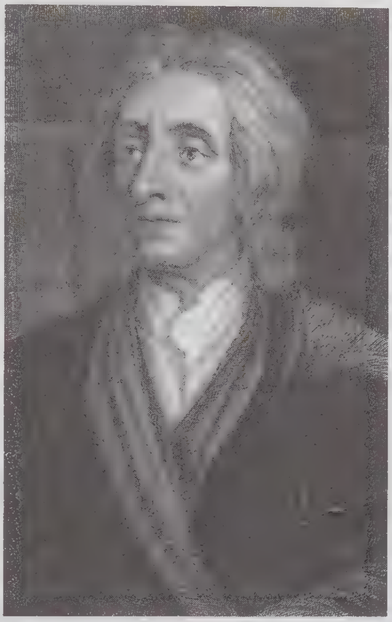
[1] *contriving their titles* Creating entitlements.

[2] *such of them ... are natural* This is evidence that the laws of nature are genuine laws. If they are not, sovereigns seem to have less motive for obeying the laws of nature.

JOHN LOCKE
(1632 – 1704)

Who Was John Locke?

JOHN LOCKE WAS BORN IN THE SOMERSET COUNTRYSIDE, near the town of Bristol, in 1632. His parents were small landowners—minor gentry—who raised the young Locke according to strict Protestant principles. Thanks to the influence of one of his father's friends, Locke was able to gain a place at Westminster School, at the time the best school in England, where he studied Greek, Latin, and Hebrew. He went on to Christ Church College, Oxford, and graduated with a BA in 1656. Shortly afterwards he was made a Senior Student of his college—a kind of teaching position; he would remain at the college until 1684, when the king of England, Charles II, personally (and illegally) demanded his expulsion.



During the 1650s and early 1660s Locke lectured on Greek and rhetoric at Oxford; but he was idle and unhappy, and became increasingly bored by the traditional philosophy of his day. He developed an interest in medicine and physical science (in 1675 he tried and failed to gain the degree of Doctor of Medicine), and in 1665 Locke left the confines of the academic world, and began to make his way into the world of politics and science. In the winter of 1665–66 he was ambassador to the German state of Brandenburg, where his first-hand observation of religious toleration between Calvinists, Lutherans, Catholics, and Anabaptists made a big impression on him.

A chance encounter in 1666 was the decisive turning-point in Locke's life: he met a nobleman called Lord Ashley, who was then the Chancellor of the Exchequer, and soon went to live at Ashley's London house as his confidant and medical adviser. In 1668, Locke was responsible for a life-saving surgical operation on Ashley, implanting a small silver spigot to drain off fluid from a cyst on his liver; the lord never forgot his gratitude, and wore the small tap in his side for the rest of his life. Under Ashley's patronage, Locke had both the leisure to spend several years working on his *Essay Concerning Human Understanding*, and a sequence of lucrative and interesting government positions, including one in which he was part of a group drafting the constitution of the new colony of Carolina in the Americas.

Ashley's support was also essential in giving Locke—an introverted and hyper-sensitive soul, who suffered for most of his life from bad asthma and generally poor health—the confidence to do original philosophy. Locke never married, was a life-long celibate, and shied away from drinking parties and a hectic social life, but he enjoyed the attentions of lady admirers and throughout his life had many loyal friends and got on especially well with some of his friends' children.

Locke spent the years from 1675 to 1679 traveling in France (where he expected to die of tuberculosis, but survived—he spent a large portion of his life confidently expecting an early death), and when he returned to England it was to a very unsettled political situation. The heir to the British throne, Charles II's younger brother James, was a Catholic, and his succession was feared by many politicians, including Ashley—who by this time was now the Earl of Shaftesbury—and his political party, the Whigs. Their greatest worry was that the return of a Catholic monarchy would mean the return of religious oppression to England, as was happening in parts of Europe. Charles, however, stood by his brother and in 1681 Shaftesbury was sent to prison in the Tower of London on a charge of high treason. Shaftesbury was acquitted by a grand jury, but he fled to Holland and died a few months later (spending his last few hours, the story goes, discussing a draft of Locke's *Essay* with his friends). Locke, in danger as a known associate of Shaftesbury's, followed his example in 1683 and secretly moved to the Netherlands, where he had to spend a year underground evading arrest by Dutch government agents acting on King

Charles's behalf. While in Holland he re-wrote material for the *Essay*, and molded it towards its final state. It immediately attracted international attention following publication of an abridged version in a French scholarly periodical.

James's brief reign as James II ended in 1688, with the accession of his Protestant daughter Mary and her husband William of Orange. The political tumult in England had subsided enough for Locke to return, and he moved as a permanent house-guest to an estate called Oates about 25 miles from London. He returned to political life (though he refused the post of ambassador to Brandenburg, on the grounds of his ill health), and played a significant role in the loosening of restrictions on publishers and authors.

In 1689, when Locke was 57, the results of his 30 years of thinking and writing were suddenly published in a flood. First, published anonymously, came the *Letter Concerning Toleration*, and shortly thereafter, also anonymously, *Two Treatises on Government*. Finally, *An Essay Concerning Human Understanding* was published, to almost instant acclaim.

By now one of the most famous men in England, Locke continued to write and publish until his death fifteen years later. Among his many publications were one on the proper control of the currency for the English government; *Some Thoughts Concerning Education* (which, apparently, was historically important in shaping the toilet-training practices of the English educated classes); a work on the proper care and cultivation of fruit trees; and a careful commentary on the Epistles of St. Paul. He died quietly, reading in his study, in October 1704.

What Was Locke's Overall Philosophical Project?

Locke and British Empiricism

In order to understand Locke's political writing, it is helpful by way of background to also be aware of his importance in another area of philosophy: Locke was a major figure in the school of thought nowadays called "British empiricism." In the view of Locke and other empiricists of his time, we are born with a mind like a blank sheet of paper—in Latin, a *tabula rasa*—without any innate knowledge, but with certain natural powers. We use these powers to adapt ourselves to the social and physical environment into which we are born. Two especially important natural powers are the capacity for conscious sense experience and the capacity to feel pleasure and pain, and it is from the interaction of these capacities with the environment that we acquire all of our ideas, knowledge, and habits of mind. All meaningful language must be connected to the ideas that we thus acquire; to use words without correspondence to such ideas is an abuse of language and a serious source of intellectual errors—errors which can have harmful consequences for social and moral life, as well as for the growth of the sciences.

An Essay Concerning Human Understanding was Locke's attempt to present a systematic and detailed empiricist account of the human mind and human knowledge. It also includes an account of the nature of language, and touches on philosophical issues to do with logic, religion, metaphysics, and ethics. Locke was optimistic about the potential of human beings to come to know the world; above all, he believed our human capacities to be sufficient to produce certain knowledge of the existence of things in the world corresponding to our basic sense-perceptions. Locke was also confident of humans' capacity (through the power of reason, rather than of sense perception) to achieve sure knowledge of the existence of God, and of moral principles. But he also believed there to be some things human beings cannot ever come to know with certainty—for example, some areas of religious doctrine and scientific theory. In these cases the best we can do is to make skillful guesses. God has given us the capacity to effectively get by in the world by making these careful guesses, according to Locke, but he has not given us the capacity to know for sure whether or not our guesses are correct. (This is one reason why Locke believed we should be tolerant of other people's religious beliefs.)

Locke's Political Philosophy

A central theme uniting all of Locke's work is anti-authoritarianism. This manifests itself in his advocacy of reasoning and sense-perception, rather than authority, as the only reliable ways to get knowledge, and in his insistence that these faculties be used to determine what political and social institutions would contribute best to human flourishing. His major political works are the *Two Treatises of Government* (with the *Second Treatise* generally acknowledged to be much more important than the *First*). In this work he argues at length against the divine right of kings, and the idea that people are naturally subject to a monarch; instead, he claims, we are naturally free and equal, possessing natural rights—that is, rights that exist independent of any society's arrangements—to "life, liberty, and property." The restrictions imposed by government are legitimate only when we agree to give up the liberty we would have in the "state of nature" for the sake of the stability and order government may provide; but when a government fails to provide for the public good, it can legitimately be replaced, since it exists only by the agreement of the governed. He considers at length what sorts of arrangements for government might best suit the purposes and constraints he urges. His prescription incorporates many of the elements of contemporary liberal democracy. Locke's work is also important for the views it expresses on religious toleration—again providing in outline what has become a central principle of the modern liberal state.

He was, in sum, a very early defender of what we have now come to recognize as typically modern values. He advocated abandoning uncritical acceptance of Greek and Roman history, literature and philosophy, and of Christian theology, championing independent thought, secular values, and the power of modern ideas and rationally guided social change.

What Is the Structure of These Readings?

Locke's *Two Treatises* were originally published together, though their focuses are somewhat different. *The First Treatise of Government* contains an extended attack on the idea of a divinely ordained, hereditary, absolute monarchy, concentrating on the arguments of an influential advocate, Sir Robert Filmer (1588–1653). Locke ridicules Filmer's attempt to prove the divine right of kings on the basis of the claim that God gave sovereignty to Adam, and that this would pass to future kings as Adam's descendants. Some commentators have remarked that Filmer's arguments hardly justify such distinguished and extended philosophical consideration; Locke himself seems at points a bit apologetic about this, remarking, in effect, that this was the best presentation he could find of a foolish position.

In the *Second Treatise*, Locke begins with the idea, no doubt derived from the thought of Thomas Hobbes, that to justify the existence of government we need to think about the state of nature—that is, about what human social arrangements would be like without government. This state would be anarchy, lacking any written law or enforcement, but, contrary to Hobbes, Locke thought that it would not be lawless: the moral law, provided by God and discoverable by reason ("writ in the hearts of all mankind"), would still bind humans. This law tells us, for example, that all men[1] should be treated as equals—that no one has the right to dominate or enslave another—and that "no one ought to harm another in his life, health, liberty, or possessions." So the state of nature would not necessarily be a Hobbesian state of constant warfare of each against all, and could, at least in principle, be peaceful.

In Chapter 5, Locke attempts to derive the right of property from his considerations about natural moral law. One naturally owns one's own body, and one also legitimately owns unowned things that one "mixes his labor" with. But this is true only provided (the famous "Lockean proviso") that one does not take more than one needs, and that one leaves enough, and as good, for others. Locke is sometimes taken in this chapter to have set out ideas that facilitated the emergence of modern capitalism in the following century.

In Chapter 7 and subsequent chapters, Locke gives what turns out to be, after all, a rather Hobbesian justification for society. In the state of nature, it would be up to each person to discover, interpret, and enforce these natural laws, and doing this is (at best) inconvenient; because people often differ in moral opinion, or are too weak to punish moral infringements, or are simply morally indifferent, this peace would be insecure. Our possessions would be threatened with theft, and our persons with violence. Although obligated by natural law to be peaceful, we would be likely to relapse into Hobbesian general warfare—as we do even in our days, whenever society collapses into anarchy. We would, then, voluntarily be willing to give up some of the freedom we enjoyed in the state of nature in exchange for governmental control of our actions—to transfer the right of enforcement of the law of nature to a civil government, "for the mutual preservation of their lives, liberties and estates, which I call by the general name, property." Interestingly, unlike most political contractarians, he appears to have believed that the state of nature and the contract to form society were both historically real—though so long ago that records have been lost.

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[1] As with any seventeenth-century text, it is important to be wary about reading "men" inclusively as "human beings." Arguably, though, Locke was somewhat ahead of his time of these issues. Certainly he rejects the then-common view of women as property, but his views (as set out, for example, in Chapters 2 and 4 of the *First Treatise*, and in Chapter 6 of the *Second Treatise*) concerning the extent to which or the circumstances in which women might or might not be considered to have rights equal to those of men are not always clear or consistent.

Locke is careful to distance himself from Hobbes's conclusion that the contract justifies dominance by an absolute ruler; according to Locke, a tyrannical sovereign (in extreme cases) puts himself in a state of war with the people (in effect, a breach of the social contract)—in the event of which the people may legitimately revolt.

In 1685, while in exile in Holland, Locke wrote *A Letter Concerning Toleration* to his Dutch friend Philip von Limborch, who had it published (in the original Latin) without Locke's knowledge or permission in 1689, after Locke had returned to England. The letter was quickly translated, and widely republished, to a combination of strong acclaim and bitter criticism. It advocates religious toleration in England—that is, toleration for various Christian denominations. Locke's immediate concern was the use of the power of the state to coerce "nonconformist" Protestants, such as Presbyterians and Quakers, into the Anglican Church, officially established as the Church of England; and with the practice of persecution and denial of full citizenship to nonmembers of that church; many positions (including university professor and Member of Parliament) were open only to those belonging to the Church of England. (In a section of the *Letter* he went so far as to argue that "neither Pagan nor Mahometan, nor Jew, ought to be excluded from the civil rights of the commonwealth because of his religion." But he drew the line at Roman Catholicism, which cannot be tolerated because "all those who enter into it do thereby *ipso facto* deliver themselves up to the protection and service of another prince." He also supported the exclusion of atheists, on whom "promises, covenants, and oaths, which are the bonds of human society, can have no hold.")

Locke argues in a variety of ways. He claims that religious persecution and exclusion increases civil disorder; that genuine religious faith cannot be coerced; and that there is no certainty that the denomination doing the coercing is really closer to the true faith than its competitors. (As an empiricist, Locke thought that theology—like other branches of theoretical science—could not bring complete certainty. There is no trace of doubt in Locke, however, about the basic truths of religion, such as the existence of God.)

Locke's argument that is most of interest to us, and that holds the most historical significance, is that religion is an interior matter—of only personal concern—while civil authority serves to regulate only "exterior" matters of life, liberty, and property, and not the care of souls. This argument for the separation of church and state ("the Church itself is a thing absolutely separate and distinct from the Commonwealth"), radical and widely unpopular in Locke's day, has become a mainstay of liberal political sensibility, which wants to limit the concerns of the state to public civil matters.

Some Useful Background Information

In the volatile world of the 1680s, setting out controversial political theories in print could be dangerous business. The climate in 1689 may have allowed for more freedom of expression than had been allowed for earlier in the decade, but we should not imagine there to have been freedom of expression in the sense we think of it in modern, democratic societies. It is thus not surprising that the *Treatises* were published anonymously. And it is certainly conceivable that even those who published anonymously might, in those days, feel themselves to be constrained to say less than they would have liked to say—or to say some things they did not mean. For these reasons it is safer to speak of what the texts themselves say rather than of what Locke himself believed.

Though 1690 was the date printed on the title page of the first edition of the *Two Treatises*, it was in fact published in December of 1689. Both the first and the second edition contained numerous errors; the text included here is that of the third edition (1698), and includes corrections that Locke made on his copy of that edition but that he was not able to see incorporated into a planned fourth edition. Capitalization and spelling have been modernized, but Locke's seventeenth-century English may nevertheless be a bit daunting to readers. Sentences are very long, with subsidiary parts set off in commas. Following is a list of a few important terms that Locke uses often, but with special meanings that may be somewhat unfamiliar:

arbitrary: When Locke speaks of an "arbitrary will" this does not mean just a whim or a random decision without reason. In his day, this meant simply something that one decides—that depends on someone's choice.

commonwealth: In Locke's day, this word had recently come to suggest a democracy or republican state, an association it still has. But Locke makes it clear in § 133 that he is using the word (in an older sense) to refer to any form of state or community.

enjoyment, enjoy: These words in Locke's usage do not imply taking delight in something, but merely making use of it, taking benefit from it.

moment: This word is frequently used to mean *importance*, as in "of great moment."

positive: This can mean explicit; a *positive law*, then, is one that is explicitly written down and passed by a legislative authority; this is contrasted, in Locke's view, with a *natural law*, which is inscribed in no law books, and applies to humans just because of human nature. A *positive agreement* is one explicitly stated and agreed upon; the contrast here is with a tacit (wordless) agreement that is just implied by actions and circumstances. *Positively* can also mean *clearly*.

presently: In Locke's day, this word was sometimes used to mean *immediately*, sometimes *soon*, and sometimes *at this (or that) time*. It is not always clear which meaning Locke intended in each of the many instances of this word.

prince: Like Machiavelli, Locke uses this term to refer to any ruler. (It does not have the sense more familiar nowadays: *son of the monarch*.)

Some Common Misconceptions

1. Locke was not an advocate of modern democracy. His view (qualified in several respects) is that government is legitimate when it has the consent of the governed; but this can occur in a variety of political forms. On this view, a monarchy can be legitimate when the monarch has the consent of, and expresses the will of, his or her subjects.
2. Locke is commonly said to be the father of liberalism, but that can be misleading; the word 'liberalism' has undergone several changes in meaning over the centuries, and should be used with care. Characteristics associated with liberalism in Locke's time and somewhat later (and which apply in his case) include an emphasis on intellectual liberty, a valuing of individual autonomy, a concern for the protection of civil liberties and rights, and a generally optimistic view of the innate character of human beings and of the possibility of social progress. When the word "liberal" is used today it often lacks some or all of these connotations, and carries others.
3. Locke is counted as one of the first of the British Empiricists, but there are several aspects of his thought that are notably anti-empirical. The most notable of these in his political writing is his treatment of natural rights, which (like other ethical truths) he believes are discovered through the operations of rationality alone, not given by the senses.

How Important and Influential Are These Writings?

Anthony Quinton, the distinguished contemporary philosopher, writes that Locke "must be acknowledged to be the most influential of political thinkers, above even Plato, Aristotle, Hobbes, Rousseau, and Marx.... [His writings] became something like the sacred text of eighteenth-century Whiggism."[1] Locke's idea that government needs the consent of the governed became the officially accepted view in nations such as Britain. It is perhaps ironic (given Locke's own involvement in colonial projects) that his writings can also be counted as an influence on British voluntary de-colonialization after World War II. His argument that it is legitimate to overthrow a government that no longer has the consent of the governed was probably an influence on the French Revolution, through Voltaire, who admired Locke; and it definitely had an enormous effect on the American revolutionists. Thomas Jefferson was a thoroughgoing Lockean, calling Locke one of "the three greatest men that have ever lived, without any exception."[2] Jefferson's *Declaration of Independence* is Lockean in its insistence that government must have the consent of the governed; that rebellion is justified when this consent is missing; in its assertion of the equality of all men; and in its attribution of inalienable natural God-given rights. (Interestingly, the *Declaration* substituted "the pursuit of happiness" for "property" in Locke's "life, liberty, and ... property"; it is sometimes supposed that Jefferson did not want to put the right to own slaves on the same level as the other basic rights.) Locke also had a profound influence on the American Constitution—for example, in the tripartite separation of governmental powers. (Locke's division was 'legislative,' 'executive,' and 'federative'; Montesquieu modified this into the form that appeared in the Constitution by substituting "judicial" for the third division.) Locke's political liberalism is also apparent in many other of its basic features, including the separation of church and state.

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[1] "Political Philosophy," in Anthony Kenny, ed., *The Oxford Illustrated History of Western Philosophy* (Oxford University Press, 2001), 323. The reference here is to the British Whig Party, the opposition to the Tories. In very general terms, the Whigs represented reformist, parliamentarian, and "liberal" tendencies (see above); they evolved into the Liberal Party (while the Tories, standing for tradition, privilege, and monarchy, evolved into the Conservatives).

[2] The other two were Bacon and Newton. Jefferson praised the three for "having laid the foundations of those superstructures which have been raised in the Physical & Moral sciences" (Jefferson's February 15, 1789, letter to John Trumbull, ordering copies of portraits of the three men). Of course, Bacon and Newton were the physical scientists; Locke was the moral scientist.

The Lockean doctrines of the inborn rights, essential freedom, and natural equality of all humans have been an inspiration for liberals (and for various sorts of radicals) in all eras. The utilitarians Jeremy Bentham and John Stuart Mill show clear signs of his influence. The socialist Thomas Hodgskin invoked Locke in 1832 in support of his plea for the rights of the oppressed laboring man. Surprisingly, Karl Marx is sometimes also counted among those influenced by Locke: Marx's theories of property and value, both constituted by the addition of labor to what is provided by nature, are in some ways similar to Locke's. However, it is obvious that the two thinkers disagree strongly about most matters. Some Marxists have taken Locke to be the quintessential apologist for unbridled free enterprise and private property. Some libertarians claim that their notions of freedom are rooted in a Lockean tradition; others argue that the way in which Locke distinguishes between liberty and license, and embraces law as the natural site of liberty, does not square easily with libertarianism. On virtually all areas of the ideological spectrum, then, there are those whose thinking is rooted in ideas from Locke—but there is clearly no sole heir.

In Locke's own day, the idea of religious toleration was fairly radical, and there were many who disagreed with him on this matter. An Anglican cleric named Jonas Proast, for example, engaged in a public argument against Locke, claiming that when people are too stubborn or stupid or inattentive to be swayed by theological arguments, they must be forced into proper religious faith and practice, for the sake of their salvation; and since the state holds the monopoly on force, it must be the one to do the forcing. Nowadays, the idea of religious toleration has established itself solidly in the mainstream thought of the liberal West, though even here religious zealots and theocrats argue against it; and it is not hard to find other jurisdictions in which religious intolerance is the rule. The tolerance we take for granted is actually unusual from a wider historical and geographical perspective: Locke has had an important hand in creating something extraordinary.

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The Second Treatise of Civil Government (1690)

Preface[1]

Reader, you have here the beginning and end of a discourse concerning government; what fate has otherwise disposed of the papers that should have filled up the middle, and were more than all the rest, it is not worth while to tell you.[2] These, which remain, I hope are sufficient to establish the throne of our great restorer, our present King William;[3] to make good his title, in the consent of the people, which being the only one of all lawful governments, he has more fully and clearly, than any prince[4] in Christendom; and to justify to the world the people of England, whose love of their just and natural rights, with their resolution to preserve them, saved the nation when it was on the very brink of slavery and ruin. If these papers have that evidence, I flatter myself is to be found in them, there will be no great miss of those which are lost, and my reader may be satisfied without them: for I imagine, I shall have neither the time, nor inclination to repeat my pains, and fill up the wanting[5] part of my answer, by tracing Sir Robert again, through all the windings and obscurities, which are to be met with in the several branches of his wonderful system. The king, and body of the nation, have since so thoroughly confuted[6] his hypothesis, that I suppose nobody hereafter will have either the confidence to appear against[7] our common safety, and be again an advocate for slavery; or the weakness to be deceived with contradictions dressed up in a popular style, and well-turned periods:[1] for if anyone will be at the pains, himself, in those parts, which are here untouched, to strip Sir Robert's discourses of the flourish of doubtful[2] expressions, and endeavor to reduce his words to direct, positive,[3] intelligible propositions, and then compare them one with another, he will quickly be satisfied, there was never so much glib nonsense put together in well-sounding English. If he think it not worth while to examine his works all through, let him make an experiment in that part, where he treats of usurpation;[4] and let him try, whether he can, with all his skill, make Sir Robert intelligible, and consistent with himself, or common sense. I should not speak so plainly of a gentleman, long since past answering, had not the pulpit, of late years, publicly owned[5] his doctrine, and made it the current divinity[6] of the times. It is necessary those men, who taking on them to be teachers, have so dangerously misled others, should be openly showed of what authority this their Patriarch is, whom they have so blindly followed, that so they may either retract what upon so ill grounds they have vented, and cannot be maintained; or else justify those principles which they preached up for gospel; though they had no better an author than an English courtier: for I should not have writ against Sir Robert, or taken the pains to show his mistakes, inconsistencies, and want of (what he so much boasts of, and pretends wholly to build on) scripture-proofs, were there not men among us, who, by crying up[7] his books, and espousing his doctrine, save me from the reproach of writing against a dead adversary. They have been so zealous in this point, that, if I have done him any wrong, I cannot hope they should spare me. I wish, where they have done the truth and the public wrong, they would be as ready to redress it, and allow its just weight to this reflection, viz. that there cannot be done a greater mischief[8] to prince and people, than the propagating wrong notions concerning government; that so at last all times might not have reason to complain of the Drum Ecclesiastic.[9] If anyone, concerned really for truth, undertake the confutation[10] of my Hypothesis, I promise him either to recant[11] my mistake, upon fair conviction; or to answer his difficulties. But he must remember two things.

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[1] *Preface* This is the preface to the whole work (consisting of the *First* and *Second Treatises*). Only the Second is included here.

[2] *what fate ... tell you* Some pages that were to go into the *Second Treatise* were simply lost. They contained an extended attack on the arguments of Sir Robert Filmer, an advocate of the divine right of kings, and of their absolute power to rule. Locke's *First Treatise* consists largely of an attack on Filmer, and, as you will see, the Second contains a good deal of this also. It is suspected that the lost pages overlapped this attack considerably.

[3] *King William* William of Orange, who took over as king from James II in the Revolution of 1688 (the "Bloodless" or "Glorious" Revolution). William's coming to power is often seen as the beginning of modern English parliamentary government, with limited power for the monarchy.

[4] *prince* Ruler.

[5] *wanting* Lacking.

[6] *confuted* Refuted.

[7] *appear against* Argue against.

First, That caviling[12] here and there, at some expression, or little incident of my discourse, is not an answer to my book.

Secondly, That I shall not take railing[13] for arguments, nor think either of these worth my notice, though I shall always look on myself as bound to give satisfaction to anyone, who shall appear to be conscientiously scrupulous in the point, and shall show any just grounds for his scruples.

I have nothing more, but to advertise[14] the reader, that Observations stands for *Observations on Hobbs, Milton, &c.* and that a bare quotation of pages always means pages of his *Patriarcha*,[15] Edition 1680.

[...]

Chapter 1: Of Political Power

§ 1. It having been shown in the foregoing discourse,[16]

1. That Adam[17] had not, either by natural right of fatherhood, or by positive donation[18] from God, any such authority over his children, or dominion[19] over the world, as is pretended:[20]

2. That if he had, his heirs, yet, had no right to it:

3. That if his heirs had, there being no law of nature nor positive law of God that determines which is the right heir in all cases that may arise, the right of succession, and consequently of bearing rule, could not have been certainly determined:

4. That if even that had been determined, yet the knowledge of which is the eldest line of Adam's posterity,[21] being

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[1] *well-turned periods* Beautifully constructed sentences.

[2] *doubtful* Ambiguous.

[3] *positive* Here this word means "clear," but see the note in the above section "Some Useful Background Information" for other meanings encountered in the text below.

[4] *usurpation* Seizing an office, replacing the previous holder, by force.

[5] *the pulpit, of late years, publicly owned* The Church, recently, publicly adopted.

[6] *divinity* Object of adoration.

[7] *crying up* Praising.

[8] *mischief* Injury.

[9] *Drum Ecclesiastic* Noisy rumblings from the Church.

[10] *confutation* Refutation.

[11] *recant* Withdraw, renounce.

[12] *caviling* Making trivial objections.

[13] *railing* Scolding.

[14] *advertise* Announce to.

[15] *Observations on Hobbs, Milton, &c.; Patriarcha* Two works by Filmer.

[16] *the foregoing discourse* The *First Treatise of Government.*

[17] *Adam* According to the *Old Testament*, the first human.

[18] *positive donation* Explicit grant.

[19] *dominion* Ruling authority.

[20] *pretended* Claimed (without warrant).

[21] *posterity* Descendants.

so long since utterly lost, that in the races of mankind and families of the world, there remains not to one above another, the least pretence to be the eldest house,[1] and to have the right of inheritance:

All these premises having, as I think, been clearly made out, it is impossible that the rulers now on earth should make any benefit, or derive any the least shadow of authority from that, which is held to be the fountain[2] of all power, Adam's private dominion and paternal jurisdiction; so that he that will not give just occasion to think that all government in the world is the product only of force and violence, and that men live together by no other rules but that of beasts, where the strongest carries it, and so lay a foundation for perpetual disorder and mischief, tumult, sedition and rebellion, (things that the followers of that hypothesis so loudly cry out against) must of necessity find out another rise[3] of government, another original[4] of political power, and another way of designing and knowing the persons that have it, than what Sir Robert Filmer has taught us.

§ 2. To this purpose, I think it may not be amiss, to set down what I take to be political power; that the power of a magistrate over a subject may be distinguished from that of a father over his children, a master over his servant, a husband over his wife, and a lord over his slave. All which distinct powers happening sometimes together in the same man, if he be considered under these different relations, it may help us to distinguish these powers one from another, and show the difference betwixt[5] a ruler of a commonwealth,[6] a father of a family, and a captain of a galley.

§ 3. Political power, then, I take to be a right of making laws with penalties of death, and consequently all less penalties, for the regulating and preserving of property, and of employing the force of the community, in the execution of such laws, and in the defense of the commonwealth from foreign injury; and all this only for the public good.

Chapter 2: Of the State of Nature

§ 4. To understand political power right, and derive it from its original, we must consider, what state all men are naturally in, and that is, a state of perfect[7] freedom to order their actions, and dispose of[8] their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave,[9] or depending upon the will of any other man.

A state also of equality, wherein all the power and jurisdiction is reciprocal,[10] no one having more than another; there being nothing more evident, than that creatures of the same species and rank, promiscuously[11] born to all the same advantages of nature, and the use of the same faculties, should also be equal one among another without subordination or subjection, unless the lord and master of them all[12] should, by any manifest declaration of his will, set one above another, and confer on him, by an evident and clear appointment, an undoubted right to dominion and sovereignty.

§ 5. This equality of men by nature, the judicious Hooker[13] looks upon as so evident in itself, and beyond all question, that he makes it the foundation of that obligation to mutual love among men, on which he builds the duties they owe one another, and from whence he derives the great maxims of justice and charity. His words are,

> The like natural inducement has brought men to know that it is no less their duty, to love others than themselves; for seeing those things which are equal, must needs[14] all have one measure;[15] if I cannot but wish to receive good, even as much at every man's hands, as any man can wish unto his own soul, how should I look to have any part of my desire herein satisfied, unless myself be careful to satisfy the like desire, which is undoubtedly in other men, being of one and the same nature? To have any thing offered them repugnant to this

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[1] *eldest house* Line of legitimate heirs (through eldest descendants).

[2] *fountain* Source.

[3] *so that he ... must of necessity find out another rise* This means: So if you don't want to give reason to think that all government is the product of force and violence (etc.), then you must find another account of its origins.

[4] *original* Origin, source.

[5] *betwixt* Between.

[6] *commonwealth* Any sort of state or community. See the note on this word in the section "Some Useful Background Information," in the Introduction above.

[7] *perfect* Complete.

[8] *dispose of* Deal with, manage.

[9] *leave* Permission.

[10] *reciprocal* Existing on both (all) sides.

[11] *promiscuously* Indiscriminately, at random.

[12] *the lord and master of them all* God.

[13] *Hooker* Richard Hooker (1554–1600), influential Anglican theologian. The quotation Locke gives is from *Of the Lawes of Ecclesiastical Politie.*

[14] *must needs* Must.

[15] *one measure* A single standard.

> desire, must needs in all respects grieve them as much as me; so that if I do harm, I must look to suffer, there being no reason that others should show greater measure of love to me, than they have by me showed unto them: my desire therefore to be loved of my equals in nature as much as possible may be, imposes upon me a natural duty of bearing to them-ward[1] fully the like affection; from which relation of equality between ourselves and them that are as ourselves, what several rules and canons natural reason has drawn, for direction of life, no man is ignorant. *Eccl. Pol. Lib.* 1.

§ 6. But though this be a state of liberty, yet it is not a state of license: though man in that state have an uncontrollable liberty to dispose of his person or possessions, yet he has not liberty to destroy himself, or so much as any creature in his possession, but where[2] some nobler use than its bare preservation calls for it. The state of nature has a law of nature to govern it, which obliges everyone: and reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions: for men being all the workmanship of one omnipotent, and infinitely wise maker; all the servants of one sovereign master, sent into the world by his order, and about his business; they are his property, whose workmanship they are, made to last during his, not one another's pleasure:[3] and being furnished with like faculties, sharing all in one community of nature, there cannot be supposed any such subordination among us, that may authorize us to destroy one another, as if we were made for one another's uses, as the inferior ranks of creatures are for ours. Everyone, as he is bound to preserve himself, and not to quit his station willfully, so by the like reason, when his own preservation comes not in competition, ought he, as much as he can, to preserve the rest of mankind, and may not, unless it be to do justice on an offender, take away, or impair the life, or what tends to the preservation of the life, the liberty, health, limb, or goods of another.

§ 7. And that[4] all men may be restrained from invading others' rights, and from doing hurt to one another, and the law of nature be observed, which wills the peace and preservation of all mankind, the execution of the law of nature is, in that state, put into every man's hands, whereby everyone has a right to punish the transgressors of that law to such a degree, as may hinder its violation: for the law of nature would, as all other laws that concern men in this world be in vain, if there were nobody that in the state of nature had a power to execute that law, and thereby preserve the innocent and restrain offenders. And if anyone in the state of nature may punish another for any evil he has done, everyone may do so: for in that state of perfect equality, where naturally there is no superiority or jurisdiction of one over another, what any may do in prosecution of that law, everyone must needs have a right to do.

§ 8. And thus, in the state of nature, one man comes by a power over another; but yet no absolute or arbitrary[5] power, to use a criminal, when he has got him in his hands, according to the passionate heats, or boundless extravagancy of his own will; but only to retribute[6] to him, so far as calm reason and conscience dictate, what is proportionate to his transgression, which is so much as may serve for reparation[7] and restraint: for these two are the only reasons, why one man may lawfully do harm to another, which is that we call punishment. In transgressing the law of nature, the offender declares himself to live by another rule than that of reason and common equity,[8] which is that measure God has set to the actions of men, for their mutual security; and so he becomes dangerous to mankind, the tie, which is to secure them from injury and violence, being slighted and broken by him. Which being a trespass against the whole species, and the peace and safety of it, provided for by the law of nature, every man upon this score, by the right he has to preserve mankind in general, may restrain, or where it is necessary, destroy things noxious to them, and so may bring such evil on anyone, who has transgressed that law, as may make him repent the doing of it, and thereby deter him, and by his example others, from doing the like mischief. And in the case, and upon this ground, *every man has a right to punish the offender and be executioner of the law of nature.*

§ 9. I doubt not but this will seem a very strange doctrine to some men: but before they condemn it, I desire them to resolve[1] me, by what right any prince or state can put to death, or punish an alien, for any crime he commits in their country. It is certain their laws, by virtue of any sanction they receive from the promulgated[2] will of the legislative, reach not a stranger: they speak not to him, nor, if they did, is he bound to hearken to them. The legislative authority, by which they are in force over the subjects of that commonwealth, has no power over him. Those who have the supreme power of making laws in England, France or Holland, are to an Indian, but like the rest of the world, men without authority: and therefore, if by the law of nature every man has not a power to punish offences against it, as he soberly judges the case to require, I see not how the magistrates of any community can punish an alien of another country; since, in reference to him, they can have no more power than what every man naturally may have over another.

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[1] *to them-ward* Towards them.

[2] *but where* Except in circumstances in which.

[3] *during his, not one another's pleasure* As long as he—not somebody else—wants.

[4] *that* So that.

[5] *arbitrary* See note about this word, which occurs frequently, in the above section "Some Useful Background Information." in the introduction to Locke.

[6] *retribute* Return in retaliation.

[7] *reparation* Compensation for harm done to one.

[8] *common equity* Fairness.

§ 10. Besides the crime which consists in violating the law, and varying from the right rule of reason, whereby a man so far becomes degenerate, and declares himself to quit the principles of human nature, and to be a noxious creature, there is commonly injury done to some person or other, and some other man receives damage by his transgression: in which case he who has received any damage, has, besides the right of punishment common to him with other men, a particular right to seek reparation from him that has done it: and any other person, who finds it just, may also join with him that is injured, and assist him in recovering from the offender so much as may make satisfaction for the harm he has suffered.

§ 11. From these two distinct rights, the one of punishing the crime for restraint, and preventing the like offence, which right of punishing is in every body; the other of taking reparation, which belongs only to the injured party, comes it to pass that the magistrate, who by being magistrate has the common right of punishing put into his hands, can often, where the public good demands not the execution of the law, remit[3] the punishment of criminal offences by his own authority, but yet cannot remit the satisfaction due to any private man for the damage he has received. That, he who has suffered the damage has a right to demand in his own name, and he alone can remit: the damnified[4] person has this power of appropriating to himself the goods or service of the offender, by right of self-preservation, as every man has a power to punish the crime, to prevent its being committed again, by the right he has of preserving all mankind, and doing all reasonable things he can in order to that end: and thus it is, that every man, in the state of nature, has a power to kill a murderer, both to deter others from doing the like injury, which no reparation can compensate, by the example of the punishment that attends it from every body, and also to secure men from the attempts of a criminal, who having renounced reason, the common rule and measure God has given to mankind, has, by the unjust violence and slaughter he has committed upon one, declared war against all mankind, and therefore may be destroyed as a lion or a tiger, one of those wild savage beasts, with whom men can have no society nor security: and upon this is grounded that great law of nature, "Whoso sheddeth man's blood, by man shall his blood be shed."[5] And Cain was so fully convinced, that everyone had a right to destroy such a criminal, that after the murder of his brother, he cries out, "Every one that findeth me, shall slay me";[6] so plain was it written in the hearts of all mankind.

§ 12. By the same reason may a man in the state of nature punish the lesser breaches of that law, it will perhaps be demanded, with death? I answer, each transgression may be punished to that degree, and with so much severity, as will suffice to make it an ill bargain to the offender, give him cause to repent, and terrify others from doing the like. Every offence, that can be committed in the state of nature, may in the state of nature be also punished equally, and as far forth as it may, in a commonwealth: for though it would be besides my present purpose, to enter here into the particulars of the law of nature, or its measures of punishment; yet, it is certain there is such a law, and that too, as intelligible and plain to a rational creature, and a studier of that law, as the positive laws of commonwealths; nay, possibly plainer; as much as reason is easier to be understood, than the fancies and intricate contrivances of men, following contrary and hidden interests put into words; for so truly are a great part of the municipal laws of countries, which are only so far right, as they are founded on the law of nature, by which they are to be regulated and interpreted.

§ 13. To this strange doctrine, viz. That in the state of nature everyone has the executive power of the law of nature, I doubt not but it will be objected, that it is unreasonable for men to be judges in their own cases, that self love will make men partial to themselves and their friends: and on the other side, that ill nature, passion and revenge will carry them too far in punishing others; and hence nothing but confusion and disorder will follow, and that therefore God has certainly appointed government to restrain the partiality and violence of men. I easily grant, that civil government is the proper remedy for the inconveniencies[1] of the state of nature, which must certainly be great, where men may be judges in their own case, since it is easy to be imagined, that he who was so unjust as to do his brother an injury, will scarce be so just as to condemn himself for it: but I shall desire those who make this objection, to remember, that absolute monarchs are but men; and if government is to be the remedy of those evils, which necessarily follow from men's being judges in their own cases, and the state of nature is therefore not to be endured, I desire to know what kind of government that is, and how much better it is than the state of nature, where one man, commanding a multitude, has the liberty to be judge in his own case, and may do to all his subjects whatever he pleases without the least question or control of those who execute his pleasure? and in whatsoever he does, whether led by reason, mistake, or passion, must be submitted to? which men in the state of Nature are not bound to do one to another. And if he that judges, judges amiss in his own or any other case, he is answerable for it to the rest of mankind.

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[1] *resolve* Solve (a problem) for.

[2] *promulgated* Officially declared.

[3] *remit* Give up, forgive, cancel.

[4] *damnified* Injured.

[5] Genesis 9.6.

[6] Genesis 4.14.

§ 14. It is often asked as a mighty objection, "Where are, or ever were there any men in such a state of nature?" To which it may suffice as an answer at present, that since all princes and rulers of independent governments all through the world, are in a state of nature, it is plain the world never was, nor ever will be, without numbers of men in that state. I have named all governors of independent communities, whether they are, or are not, in league with others: for it is not every compact that puts an end to the state of nature between men, but only this one of agreeing together mutually to enter into one community, and make one body politic; other promises, and compacts, men may make one with another, and yet still be in the state of nature. The promises and bargains for truck,[2] &c. between the two men in the desert island, mentioned by Garcilasso de la Vega,[3] in his history of Peru; or between a Swiss and an Indian, in the woods of America, are binding to them, though they are perfectly in a state of nature, in reference to one another: for truth and keeping of faith belongs to men, as men, and not as members of society.

§ 15. To those that say, there were never any men in the state of nature, I will not only oppose the authority of the judicious Hooker, *Eccl. Pol. Lib.* I. sect. 10, where he says,

> The laws which have been hitherto mentioned, [i.e., the laws of nature] do bind men absolutely, even as they are men, although they have never any settled fellowship, never any solemn agreement amongst themselves what to do, or not to do: but forasmuch as we are not by ourselves sufficient to furnish ourselves with competent store of things, needful for such a life as our nature doth desire, a life fit for the dignity of man; therefore to supply those defects and imperfections which are in us, as living single and solely by ourselves, we are naturally induced to seek communion and fellowship with others: this was the cause of men's uniting themselves at first in politic societies.

But I moreover affirm, that all men are naturally in that state, and remain so, till by their own consents they make themselves members of some politic society; and I doubt not in the sequel of this discourse, to make it very clear.

Chapter 3: Of the State of War

§ 16. The state of war is a state of enmity[4] and destruction: and therefore declaring by word or action, not a passionate and hasty, but a sedate settled design upon another man's life, puts him in a state of war with him against whom he has declared such an intention, and so has exposed his life to the other's power to be taken away by him, or anyone that joins with him in his defense, and espouses his quarrel; it being reasonable and just, I should have a right to destroy that which threatens me with destruction: for, by the fundamental law of nature, man being to be preserved as much as possible, when all cannot be preserved, the safety of the innocent is to be preferred: and one may destroy a man who makes war upon him, or has discovered an enmity to his being, for the same reason that he may kill a wolf or a lion; because such men are not under the ties of the common law of reason, have no other rule, but that of force and violence, and so may be treated as beasts of prey, those dangerous and noxious creatures, that will be sure to destroy him whenever he falls into their power.

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[1] *inconveniencies* Unsuitable features. This word did not imply, as it does nowadays, trivial unsuitability because of causing discomfort or annoyance, etc.

[2] *truck* Miscellaneous exchanged goods.

[3] *Garcilasso de la Vega* Peruvian historian (1539–1616).

[4] *enmity* Hostility.

§ 17. And hence it is, that he who attempts to get another man into his absolute power, does thereby put himself into a state of war with him; it being to be understood as a declaration of a design upon his life: for I have reason to conclude, that he who would get me into his power without my consent, would use me as he pleased when he had got me there, and destroy me too when he had a fancy to it; for nobody can desire to have me in his absolute power, unless it be to compel me by force to that which is against the right of my freedom, i.e., make me a slave. To be free from such force is the only security of my preservation; and reason bids me look on him, as an enemy to my preservation, who would take away that freedom which is the fence to[1] it; so that he who makes an attempt to enslave me, thereby puts himself into a state of war with me. He that, in the state of nature, would take away the freedom that belongs to anyone in that state, must necessarily be supposed to have a foundation of all the rest;[2] as he that in the state of society, would take away the freedom belonging to those of that society or commonwealth, must be supposed to design to take away from them every thing else, and so be looked on as in a state of war.

§ 18. This makes it lawful for a man to kill a thief, who has not in the least hurt him, nor declared any design upon his life, any farther than, by the use of force, so to get him in his power, as to take away his money, or what he pleases, from him; because using force, where he has no right, to get me into his power, let his pretence be what it will, I have no reason to suppose, that he, who would take away my liberty, would not, when he had me in his power, take away every thing else. And therefore it is lawful for me to treat him as one who has put himself into a state of war with me, i.e., kill him if I can; for to that hazard does he justly expose himself, whoever introduces a state of war, and is aggressor in it.

§ 19. And here we have the plain difference between the state of nature and the state of war, which however some men[3] have confounded,[4] are as far distant, as a state of peace, good will, mutual assistance and preservation, and a state of enmity, malice, violence and mutual destruction, are one from another. Men living together according to reason, without a common superior on earth, with authority to judge between them, is properly the state of nature. But force, or a declared design of force, upon the person of another, where there is no common superior on earth to appeal to for relief, is the state of war: and it is the want of such an appeal gives a man the right of war even against an aggressor, though he be in society and a fellow subject. Thus a thief, whom I cannot harm, but by appeal to the law, for having stolen all that I am worth, I may kill, when he sets on me to rob me but of my horse or coat; because the law, which was made for my preservation, where it cannot interpose to secure my life from present force, which, if lost, is capable of no reparation, permits me my own defense, and the right of war, a liberty to kill the aggressor, because the aggressor allows not time to appeal to our common judge, nor the decision of the law, for remedy in a case where the mischief may be irreparable. Want of a common judge with authority, puts all men in a state of nature: force without right, upon a man's person, makes a state of war, both where there is, and is not, a common judge.

§ 20. But when the actual force is over, the state of war ceases between those that are in society, and are equally on both sides subjected to the fair determination of the law; because then there lies open the remedy of appeal for the past injury, and to prevent future harm: but where no such appeal is, as in the state of nature, for want of positive laws, and judges with authority to appeal to, the state of war once begun, continues, with a right to the innocent party to destroy the other whenever he can, until the aggressor offers peace, and desires reconciliation on such terms as may repair any wrongs he has already done, and secure the innocent for the future; nay, where an appeal to the law, and constituted judges, lies open, but the remedy is denied by a manifest perverting of justice, and a barefaced wresting of the laws to protect or indemnify[5] the violence or injuries of some men, or party of men, there it is hard to imagine any thing but a state of war: for wherever violence is used, and injury done, though by hands appointed to administer justice, it is still violence and injury, however colored with the name, pretences, or forms of law, the end whereof being to protect and redress the innocent, by an unbiased application of it, to all who are under it; wherever that is not bona fide[1] done, war is made upon the sufferers, who having no appeal on earth to right them, they are left to the only remedy in such cases, an appeal to heaven.

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[1] *fence to* Barrier or defense against.

[2] *have a foundation of all the rest* Have a basis for (taking away) everything else.

[3] *some men* Locke may be referring to Hobbes here. He is eager to emphasize his difference from Hobbes, who wrote that the state of nature *is* a state of war.

[4] *confounded* Confused.

[5] *indemnify* Reimburse afterwards for.

§ 21. To avoid this state of war (wherein there is no appeal but to heaven, and wherein every the least difference is apt to end, where there is no authority to decide between the contenders) is one great reason of men's putting themselves into society, and quitting the state of nature: for where there is an authority, a power on earth, from which relief can be had by appeal, there the continuance of the state of war is excluded, and the controversy is decided by that power. Had there been any such court, any superior jurisdiction on earth, to determine the right between Jephtha and the Ammonites,[2] they had never come to a state of war: but we see he was forced to appeal to heaven. The Lord the Judge (says he) be judge this day between the children of Israel and the children of Ammon, Judg. xi. 27. and then prosecuting, and relying on his appeal, he leads out his army to battle: and therefore in such controversies, where the question is put, who shall be judge? It cannot be meant, who shall decide the controversy; everyone knows what Jephtha here tells us, that the Lord the Judge shall judge. Where there is no judge on earth, the appeal lies to God in heaven. That question then cannot mean, who shall judge, whether another has put himself in a state of war with me, and whether I may, as Jephtha did, appeal to heaven in it? of that I myself can only be judge in my own conscience, as I will answer it, at the great day, to the supreme judge of all men.

Chapter 4: Of Slavery

§ 22. The natural liberty of man is to be free from any superior power on earth, and not to be under the will or legislative authority of man, but to have only the law of nature for his rule. The liberty of man, in society, is to be under no other legislative power, but that established, by consent, in the commonwealth; nor under the dominion of any will, or restraint of any law, but what that legislative shall enact, according to the trust put in it. Freedom then is not what Sir Robert Filmer tells us, "a liberty for everyone to do what he lists,[3] to live as he pleases, and not to be tied by any laws":[4] but freedom of men under government is, to have a standing rule to live by, common to everyone of that society, and made by the legislative power erected in it; a liberty to follow my own will in all things, where the rule prescribes not; and not to be subject to the inconstant, uncertain, unknown, arbitrary will of another man: as freedom of nature is, to be under no other restraint but the law of nature.

§ 23. This freedom from absolute, arbitrary power, is so necessary to, and closely joined with a man's preservation, that he cannot part with it, but by what forfeits his preservation and life together: for a man, not having the power of his own life, cannot, by compact, or his own consent, enslave himself to anyone, nor put himself under the absolute, arbitrary power of another, to take away his life, when he pleases. Nobody can give more power than he has himself; and he that cannot take away his own life, cannot give another power over it. Indeed, having by his fault forfeited his own life, by some act that deserves death; he, to whom he has forfeited it, may (when he has him in his power) delay to take it, and make use of him to his own service, and he does him no injury by it: for, whenever he finds the hardship of his slavery outweigh the value of his life, it is in his power, by resisting the will of his master, to draw on himself the death he desires.

§ 24. This is the perfect condition of slavery, which is nothing else, but the state of war continued, between a lawful conqueror and a captive: for, if once compact enter between them, and make an agreement for a limited power on the one side, and obedience on the other, the state of war and slavery ceases, as long as the compact endures: for, as has been said, no man can, by agreement, pass over to another that which he has not in himself, a power over his own life.

I confess, we find among the Jews, as well as other nations, that men did sell themselves; but, it is plain, this was only to drudgery, not to slavery: for, it is evident, the person sold was not under an absolute, arbitrary, despotical power: for the master could not have power to kill him, at any time, whom, at a certain time, he was obliged to let go free out of his service; and the master of such a servant was so far from having an arbitrary power over his life, that he could not, at pleasure, so much as maim him, but the loss of an eye, or tooth, set him free, Exodus 21.[1]

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[1] *bona fide* In good faith.

[2] *Jephtha and the Ammonites* In the book of Judges, the Israelites, living under the rule of the Ammonites, get Jephtha to lead them in battle for their freedom. Jephtha agrees, on condition that he will be made king if successful. He appeals to God to judge the justice of the Israelites' cause, wins the battle, and frees the Israelites. This story is important to Locke, who discusses it again in Section 109 below.

[3] *what he lists* That which he is inclined to do.

[4] *a liberty for ... laws* From Filmer's *Observations upon Aristotle's Politiques Touching Forms of Government* (1652), p. 55.

Chapter 5: Of Property

§ 25. Whether we consider natural reason, which tells us, that men, being once born, have a right to their preservation, and consequently to meat and drink, and such other things as nature affords for their subsistence: or revelation, which gives us an account of those grants God made of the world to Adam, and to Noah, and his sons, it is very clear, that God, as king David says, Psalm 115.16.[2] "has given the earth to the children of men"; given it to mankind in common. But this being supposed, it seems to some a very great difficulty, how anyone should ever come to have a property in any thing: I will not content myself to answer, that if it be difficult to make out property, upon a supposition that God gave the world to Adam, and his posterity in common, it is impossible that any man, but one universal monarch, should have any property upon a supposition, that God gave the world to Adam, and his heirs in succession, exclusive of all the rest of his posterity. But I shall endeavor to show, how men might come to have a property in[3] several parts of that which God gave to mankind in common, and that without any express compact of all the commoners.[4]

§ 26. God, who has given the world to men in common, has also given them reason to make use of it to the best advantage of life, and convenience.[5] The earth, and all that is therein, is given to men for the support and comfort of their being. And though all the fruits it naturally produces, and beasts it feeds, belong to mankind in common, as they are produced by the spontaneous hand of nature; and nobody has originally a private dominion, exclusive of the rest of mankind, in any of them, as they are thus in their natural state: yet being given for the use of men, there must of necessity be a means to appropriate[6] them some way or other, before they can be of any use, or at all beneficial to any particular man. The fruit, or venison, which nourishes the wild Indian, who knows no enclosure, and is still a tenant in common, must be his, and so his, i.e., a part of him, that another can no longer have any right to it, before it can do him any good for the support of his life.

§ 27. Though the earth, and all inferior creatures, be common to all men, yet every man has a property in his own person: this nobody has any right to but himself. The labor of his body, and the work of his hands, we may say, are properly his. Whatsoever then he removes out of the state that nature has provided, and left it in, he has mixed his labor with, and joined to it something that is his own, and thereby makes it his property. It being by him removed from the common state nature has placed it in, it has by this labor something annexed to it, that excludes the common right of other men: for this labor being the unquestionable property of the laborer, no man but he can have a right to what that is once joined to, at least where there is enough, and as good, left in common for others.

§ 28. He that is nourished by the acorns he picked up under an oak, or the apples he gathered from the trees in the wood, has certainly appropriated them to himself. Nobody can deny but the nourishment is his. I ask then, when did they begin to be his? when he digested? or when he eat? or when he boiled? or when he brought them home? or when he picked them up? and it is plain, if the first gathering made them not his, nothing else could. That labor put a distinction between them and common: that added something to them more than nature, the common mother of all, had done; and so they became his private right. And will anyone say, he had no right to those acorns or apples, he thus appropriated, because he had not the consent of all mankind to make them his? Was it a robbery thus to assume to himself what belonged to all in common? If such a consent as that was necessary, man had starved, notwithstanding the plenty God had given him. We see in commons, which remain so by compact,[7] that it is the taking any part of what is common, and removing it out of the state nature leaves it in, which begins the property; without which the common is of no use. And the taking of this or that part, does not depend on the express consent of all the commoners. Thus the grass my horse has bit; the turfs[8] my servant has cut; and the ore I have dug in any place, where

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[1] *Exodus 21* "And if a man smite the eye of his servant, or the eye of his maid, that it perish; he shall let him go free for his eye's sake. And if he smite out his manservant's tooth, or his maidservant's tooth; he shall let him go free for his tooth's sake" (Exodus 21.26–27).

[2] *Psalm 115.16* "The heaven, even the heavens, are the LORD's: but the earth has he given to the children of men" (Psalm 115, line 16).

[3] *have a property in* Own.

[4] *commoners* Those who own the land in common.

[5] *convenience* Suitability.

[6] *appropriate* Come to own.

[7] *by compact* By (legal) agreement.

[8] *turfs* Peat, used for fuel.

I have a right to them in common with others, become my property, without the assignation or consent of anybody. The labor that was mine, removing them out of that common state they were in, has fixed my property in them.

§ 29. By making an explicit consent of every commoner, necessary to anyone's appropriating to himself any part of what is given in common, children or servants could not cut the meat, which their father or master had provided for them in common, without assigning to everyone his peculiar part. Though the water running in the fountain be everyone's, yet who can doubt, but that in the pitcher is his only who drew it out? His labor has taken it out of the hands of nature, where it was common, and belonged equally to all her children, and has thereby appropriated it to himself.

§ 30. Thus this law of reason makes the deer that Indian's who has killed it; it is allowed to be his goods, who has bestowed his labor upon it, though before it was the common right of everyone. And among those who are counted the civilized part of mankind, who have made and multiplied positive laws to determine property, this original law of nature, for the beginning of property, in what was before common, still takes place; and by virtue thereof, what fish anyone catches in the ocean, that great and still remaining common of mankind; or what ambergris[1] anyone takes up here, is by the labor that removes it out of that common state nature left it in, made his property, who takes that pains about it. And even among us, the hare that anyone is hunting, is thought his who pursues her during the chase: for being a beast that is still looked upon as common, and no man's private possession; whoever has employed so much labor about any of that kind, as to find and pursue her, has thereby removed her from the state of nature, wherein she was common, and has begun a property.

§ 31. It will perhaps be objected to this, that "if gathering the acorns, or other fruits of the earth, &c. makes a right to them, then anyone may ingross[2] as much as he will." To which I answer, Not so. The same law of nature, that does by this means give us property, does also bound that property too. "God has given us all things richly" 1 Tim. 6.12.[3] is the voice of reason confirmed by inspiration. But how far has he given it us? To enjoy. As much as anyone can make use of to any advantage of life before it spoils, so much he may by his labor fix a property in: whatever is beyond this, is more than his share, and belongs to others. Nothing was made by God for man to spoil or destroy. And thus, considering the plenty of natural provisions there was a long time in the world, and the few spenders; and to how small a part of that provision the industry of one man could extend itself, and ingross it to the prejudice[4] of others; especially keeping within the bounds, set by reason, of what might serve for his use; there could be then little room for quarrels or contentions about property so established.

§ 32. But the chief matter of property being now not the fruits of the earth, and the beasts that subsist on it, but the earth itself; as that which takes in and carries with it all the rest; I think it is plain, that property in that too is acquired as the former. As much land as a man tills, plants, improves, cultivates, and can use the product of, so much is his property. He by his labor does, as it were, enclose it from the common. Nor will it invalidate his right, to say every body else has an equal title to it; and therefore he cannot appropriate, he cannot enclose, without the consent of all his fellow-commoners, all mankind. God, when he gave the world in common to all mankind, commanded man also to labor, and the penury of his condition required it of him. God and his reason commanded him to subdue the earth, i.e., improve it for the benefit of life, and therein lay out something upon it that was his own, his labor. He that in obedience to this command of God, subdued, tilled and sowed any part of it, thereby annexed to it something that was his property, which another had no title to, nor could without injury take from him.

§ 33. Nor was this appropriation of any parcel of land, by improving it, any prejudice to any other man, since there was still enough, and as good left; and more than the yet unprovided could use. So that, in effect, there was never the less left for others because of his enclosure for himself: for he that leaves as much as another can make use of, does as good as take nothing at all. Nobody could think himself injured by the drinking of another man, though he took a good draught, who had a whole river of the same water left him to quench his thirst: and the case of land and water, where there is enough of both, is perfectly the same.

§ 34. God gave the world to men in common; but since he gave it them for their benefit, and the greatest conveniences of life they were capable to draw from it, it cannot be supposed he meant it should always remain common and uncultivated. He gave it to the use of the industrious and rational, (and labor was to be his title to it;) not to the fancy or covetousness of the quarrelsome and contentious. He that had as good left for his improvement, as was already taken up, needed not complain, ought not to meddle with what was already improved by another's labor: if he did, it is plain he desired the benefit of another's pains, which he had no right to, and not the ground which God had given him in common with others to labor on, and whereof there was as good left, as that already possessed, and more than he knew what to do with, or his industry could reach to.

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[1] *ambergris* A waxy substance, secreted by sperm whales, used in making perfume. It is found on beaches or floating on the ocean.

[2] *ingross* Collect in large scale.

[3] *1 Tim. 6.12* "Charge them that are rich in this world, that they be not highminded, nor trust in uncertain riches, but in the living God, who giveth us richly all things to enjoy." 1 Timothy 6.17. 'Highminded' here means haughty, proud, arrogant.

[4] *prejudice* Disadvantage or harm.

§ 35. It is true, in land that is common in England, or any other country, where there is plenty of people under government, who have money and commerce, no one can enclose or appropriate any part, without the consent of all his fellow-commoners; because this is left common by compact, i.e., by the law of the land, which is not to be violated. And though it be common, in respect of some men, it is not so to all mankind; but is the joint property of this country, or this parish. Besides, the remainder, after such enclosure, would not be as good to the rest of the commoners, as the whole was when they could all make use of the whole; whereas in the beginning and first peopling of the great common of the world, it was quite otherwise. The law man was under, was rather for appropriating. God commanded, and his wants forced him to labor. That was his property which could not be taken from him wherever he had fixed it. And hence subduing or cultivating the earth, and having dominion, we see are joined together. The one gave title to the other. So that God, by commanding to subdue, gave authority so far to appropriate: and the condition of human life, which requires labor and materials to work on, necessarily introduces private possessions.

§ 36. The measure of property nature has well set by the extent of men's labor and the conveniences of life: no man's labor could subdue, or appropriate all; nor could his enjoyment consume more than a small part; so that it was impossible for any man, this way, to entrench[1] upon the right of another, or acquire to himself a property, to the prejudice of his neighbor, who would still have room for as good, and as large a possession (after the other had taken out his) as before it was appropriated. This measure did confine every man's possession to a very moderate proportion, and such as he might appropriate to himself, without injury to anybody, in the first ages of the world, when men were more in danger to be lost, by wandering from their company, in the then vast wilderness of the earth, than to be straitened[2] for want of room to plant in. And the same measure may be allowed still without prejudice to anybody, as full as the world seems: for supposing a man, or family, in the state they were at first peopling of the world by the children of Adam, or Noah; let him plant in some inland, vacant places of America, we shall find that the possessions he could make himself, upon the measures we have given, would not be very large, nor, even to this day, prejudice the rest of mankind, or give them reason to complain, or think themselves injured by this man's encroachment, though the race of men have now spread themselves to all the corners of the world, and do infinitely exceed the small number [it] was at the beginning. Nay, the extent of ground is of so little value, without labor, that I have heard it affirmed, that in Spain itself a man may be permitted to plough, sow and reap, without being disturbed, upon land he has no other title to, but only his making use of it. But, on the contrary, the inhabitants think themselves beholden to him, who, by his industry on neglected, and consequently waste land, has increased the stock of corn,[3] which they wanted. But be this as it will, which I lay no stress on; this I dare boldly affirm, that the same rule of propriety, (viz.) that every man should have as much as he could make use of, would hold still in the world, without straitening anybody; since there is land enough in the world to suffice double the inhabitants, had not the invention of money, and the tacit[4] agreement of men to put a value on it, introduced (by consent) larger possessions, and a right to them; which, how it has done, I shall by and by show more at large.

§ 37. This is certain, that in the beginning, before the desire of having more than man needed had altered the intrinsic value of things, which depends only on their usefulness to the life of man; or had agreed, that a little piece of yellow metal, which would keep without wasting or decay, should be worth a great piece of flesh,[5] or a whole heap of corn; though men had a right to appropriate, by their labor, each one of himself, as much of the things of nature, as he could use: yet this could not be much, nor to the prejudice of others, where the same plenty was still left to those who would use the same industry. To which let me add, that he who appropriates land to himself by his labor, does not lessen, but increase the common stock of mankind: for the provisions serving to the support of human life, produced by one acre of enclosed and cultivated land, are (to speak much within compass[1]) ten times more than those which are yielded by an acre of land of an equal richness lying waste in common. And therefore he that encloses land, and has a greater plenty of the conveniences of life from ten acres, than he could have from an hundred left to nature, may truly be said to give ninety acres to mankind: for his labor now supplies him with provisions out of ten acres, which were but the product of an hundred lying in common. I have here rated the improved land very low, in making its product but as ten to one, when it is much nearer an hundred to one: for I ask, whether in the wild woods and uncultivated waste of America, left to nature, without any improvement, tillage or husbandry, a thousand acres yield the needy and wretched inhabitants as many conveniences of life, as ten acres of equally fertile land do in Devonshire, where they are well cultivated?

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[1] *entrench* Trespass.

[2] *straitened* Restricted.

[3] *corn* In Locke's time, "corn" could refer to any type of grain.

[4] *tacit* By understanding or implication, as opposed to open statement.

[5] *flesh* Meat.

Before the appropriation of land, he who gathered as much of the wild fruit, killed, caught, or tamed, as many of the beasts, as he could; he that so employed his pains about any of the spontaneous products of nature, as any way to alter them from the state which nature put them in, by placing any of his labor on them, did thereby acquire a propriety in them: but if they perished, in his possession, without their due use; if the fruits rotted, or the venison putrefied, before he could spend[2] it, he offended against the common law of nature, and was liable to be punished; he invaded his neighbor's share, for he had no right, farther than his use called for any of them, and they might serve to afford him conveniences of life.

§ 38. The same measures governed the possession of land too: whatsoever he tilled and reaped, laid up and made use of, before it spoiled, that was his peculiar right; whatsoever he enclosed, and could feed, and make use of, the cattle and product was also his. But if either the grass of his enclosure rotted on the ground, or the fruit of his planting perished without gathering, and laying up, this part of the earth, notwithstanding his enclosure, was still to be looked on as waste, and might be the possession of any other. Thus, at the beginning, Cain might take as much ground as he could till, and make it his own land, and yet leave enough to Abel's sheep to feed on; a few acres would serve for both their possessions. But as families increased, and industry enlarged their stocks, their possessions enlarged with the need of them; but yet it was commonly without any fixed property in the ground they made use of, till they incorporated, settled themselves together, and built cities; and then, by consent, they came in time, to set out the bounds of their distinct territories, and agree on limits between them and their neighbors; and by laws within themselves, settled the properties of those of the same society: for we see, that in that part of the world which was first inhabited, and therefore like to be best peopled, even as low down as[3] Abraham's time, they wandered with their flocks, and their herds, which was their substance, freely up and down; and this Abraham did, in a country where he was a stranger. Whence it is plain, that at least a great part of the land lay in common; that the inhabitants valued it not, nor claimed property in any more than they made use of. But when there was not room enough in the same place, for their herds to feed together, they by consent, as Abraham and Lot did, Gen. xiii. 5. separated and enlarged their pasture, where it best liked them. And for the same reason Esau went from his father, and his brother, and planted in mount Seir, Gen. xxxvi. 6.

§ 39. And thus, without supposing any private dominion, and property in Adam, over all the world, exclusive of all other men, which can no way be proved, nor anyone's property be made out from it; but supposing the world given, as it was, to the children of men in common, we see how labor could make men distinct titles to several parcels of it, for their private uses; wherein there could be no doubt of right, no room for quarrel.

§ 40. Nor is it so strange, as perhaps before consideration it may appear, that the property of labor should be able to over-balance the community of land: for it is labor indeed that puts the difference of value on every thing; and let anyone consider what the difference is between an acre of land planted with tobacco or sugar, sown with wheat or barley, and an acre of the same land lying in common, without any husbandry upon it,[4] and he will find, that the improvement of labor makes the far greater part of the value. I think it will be but a very modest computation to say, that of the products of the earth useful to the life of man nine tenths are the effects of labor: nay, if we will rightly estimate things as they come to our use, and cast up the several expenses about them, what in them is purely owing to nature, and what to labor, we shall find, that in most of them ninety-nine hundredths are wholly to be put on the account of labor.

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[1] *much within compass* Quite within the bounds of moderation—that is, estimating very conservatively.

[2] *spend* Consume.

[3] *as low down as* As late as.

[4] *without any husbandry upon it* Unfarmed.

§ 41. There cannot be a clearer demonstration of any thing, than several nations of the Americans are of this, who are rich in land, and poor in all the comforts of life; whom nature having furnished as liberally as any other people, with the materials of plenty, i.e., a fruitful soil, apt to produce in abundance, what might serve for food, raiment,[1] and delight; yet for want of improving it by labor, have not one hundredth part of the conveniences we enjoy: and a king of a large and fruitful territory there, feeds, lodges, and is clad worse than a day-laborer in England.

§ 42. To make this a little clearer, let us but trace some of the ordinary provisions of life, through their several progresses, before they come to our use, and see how much they receive of their value from human industry. Bread, wine and cloth, are things of daily use, and great plenty; yet notwithstanding, acorns, water and leaves, or skins, must be our bread, drink and clothing, did not labor furnish us with these more useful commodities: for whatever bread is more worth than acorns, wine than water, and cloth or silk, than leaves, skins or moss, that is wholly owing to labor and industry; the one of these being the food and raiment which unassisted nature furnishes us with; the other, provisions which our industry and pains prepare for us, which how much they exceed the other in value, when anyone has computed, he will then see how much labor makes the far greatest part of the value of things we enjoy in this world: and the ground which produces the materials, is scarce to be reckoned in, as any, or at most, but a very small part of it; so little, that even among us, land that is left wholly to nature, that has no improvement of pasturage, tillage, or planting, is called, as indeed it is, waste; and we shall find the benefit of it amount to little more than nothing.

This shows how much numbers of men are to be preferred to largeness of dominions; and that the increase of lands, and the right employing of them, is the great art of government: and that prince, who shall be so wise and godlike, as by established laws of liberty to secure protection and encouragement to the honest industry of mankind, against the oppression of power and narrowness of party, will quickly be too hard for his neighbors: but this by the by.[2] To return to the argument in hand,

§ 43. An acre of land, that bears here twenty bushels of wheat, and another in America, which, with the same husbandry, would do the like, are, without doubt, of the same natural intrinsic value: but yet the benefit mankind receives from the one in a year, is worth five pounds and from the other possibly not worth a penny, if all the profit an Indian received from it were to be valued, and sold here; at least, I may truly say, not one thousandth. It is labor then which puts the greatest part of value upon land, without which it would scarcely be worth any thing: it is to that we owe the greatest part of all its useful products; for all that the straw, bran, bread, of that acre of wheat, is more worth than the product of an acre of as good land, which lies waste, is all the effect of labor: for it is not barely[3] the plough-man's pains, the reaper's and thresher's toil, and the baker's sweat, [that] is to be counted into the bread we eat; the labor of those who broke the oxen, who dug and wrought the iron and stones, who felled and framed the timber employed about the plough, mill, oven, or any other utensils, which are a vast number, requisite to this corn, from its being feed to be sown to its being made bread, must all be charged on the account of labor, and received as an effect of that: nature and the earth furnished only the almost worthless materials, as in themselves. It would be a strange catalogue of things, that industry provided and made use of, about every loaf of bread, before it came to our use, if we could trace them; iron, wood, leather, bark, timber, stone, bricks, coals, lime, cloth, dyeing drugs,[4] pitch, tar, masts, ropes, and all the materials made use of in the ship, that brought any of the commodities made use of by any of the workmen, to any part of the work; all which it would be almost impossible, at least too long, to reckon up.

§ 44. From all which it is evident, that though the things of nature are given in common, yet man, by being master of himself, and proprietor of his own person, and the actions or labor of it, had still in himself the great foundation of property; and that, which made up the great part of what he applied to the support or comfort of his being, when invention and arts had improved the conveniences of life, was perfectly his own, and did not belong in common to others.

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[1] *raiment* Clothing.

[2] *by the by* After a while. Locke means that he will return to this subject later.

[3] *barely* Merely.

[4] *dyeing drugs* Chemicals for dyeing (coloring cloth).

§ 45. Thus labor, in the beginning, gave a right of property, wherever anyone was pleased to employ it upon what was common, which remained a long while the far greater part, and is yet more than mankind makes use of. Men, at first, for the most part, contented themselves with what unassisted nature offered to their necessities: and though afterwards, in some parts of the world, (where the increase of people and stock, with the use of money, had made land scarce, and so of some value) the several communities settled the bounds of their distinct territories, and by laws within themselves regulated the properties of the private men of their society, and so, by compact and agreement, settled the property which labor and industry began; and the leagues that have been made between several states and kingdoms, either expressly or tacitly disowning all claim and right to the land in the others' possession, have, by common consent, given up their pretenses to their natural common right, which originally they had to those countries, and so have, by positive agreement, settled a property among themselves, in distinct parts and parcels of the earth; yet there are still great tracts of ground to be found, which (the inhabitants thereof not having joined with the rest of mankind, in the consent of the use of their common money) lie waste, and are more than the people who dwell on it do, or can make use of, and so still lie in common; though this can scarce happen among that part of mankind that have consented to the use of money.

§ 46. The greatest part[1] of things really useful to the life of man, and such as the necessity of subsisting made the first commoners of the world look after, as it does the Americans now, are generally things of short duration; such as, if they are not consumed by use, will decay and perish of themselves: gold, silver and diamonds, are things that fancy[2] or agreement has put the value on, more than real use, and the necessary support of life. Now of those good things which nature has provided in common, everyone had a right (as has been said) to as much as he could use, and property in all that he could effect with his labor; all that his industry could extend to, to alter from the state nature had put it in, was his. He that gathered a hundred bushels of acorns or apples, had thereby a property in them, they were his goods as soon as gathered. He was only to look, that he used them before they spoiled, else he took more than his share, and robbed others. And indeed it was a foolish thing, as well as dishonest, to hoard up more than he could make use of. If he gave away a part to anybody else, so that it perished not uselessly in his possession, these he also made use of. And if he also bartered away plums, that would have rotted in a week, for nuts that would last good for his eating a whole year, he did no injury; he wasted not the common stock; destroyed no part of the portion of goods that belonged to others, so long as nothing perished uselessly in his hands. Again, if he would give his nuts for a piece of metal, pleased with its color; or exchange his sheep for shells, or wool for a sparkling pebble or a diamond, and keep those by him all his life he invaded not the right of others, he might heap up as much of these durable things as he pleased; the exceeding of the bounds of his just property not lying in the largeness of his possession, but the perishing of any thing uselessly in it.

§ 47. And thus came in the use of money, some lasting thing that men might keep without spoiling, and that by mutual consent men would take in exchange for the truly useful, but perishable supports of life.

§ 48. And as different degrees of industry were apt to give men possessions in different proportions, so this invention of money gave them the opportunity to continue and enlarge them:[3] for supposing an island, separate from all possible commerce with the rest of the world, wherein there were but an hundred families, but there were sheep, horses and cows, with other useful animals, wholesome fruits, and land enough for corn for a hundred thousand times as many, but nothing in the island, either because of its commonness, or perishableness, fit to supply the place of money; what reason could anyone have there to enlarge his possessions beyond the use of his family, and a plentiful supply to its consumption, either in what their own industry produced, or they could barter for like perishable, useful commodities, with others? Where there is not some thing, both lasting and scarce, and so valuable to be hoarded up, there men will not be apt to enlarge their possessions of land, were it never so rich, never so free for them to take: for I ask, what would a man value ten thousand, or an hundred thousand acres of excellent land, ready cultivated, and well stocked too with cattle, in the middle of the inland parts of America, where he had no hopes of commerce with other parts of the world, to draw money to him by the sale of the product? It would not be worth the enclosing, and we should see him give up again to the wild common of nature, whatever was more than would supply the conveniences of life to be had there for him and his family.

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[1] *greatest part* Majority.

[2] *fancy* Liking or desire.

[3] *enlarge them* Acquire more possessions.

§ 49. Thus in the beginning all the world was America, and more so than that is now; for no such thing as money was anywhere known. Find out something that has the use and value of money among his neighbors, you shall see the same man will begin presently[1] to enlarge his possessions.

§ 50. But since gold and silver, being little useful to the life of man in proportion to food, raiment, and carriage,[2] has its value only from the consent of men, whereof labor yet makes, in great part, the measure, it is plain, that men have agreed to a disproportionate and unequal possession of the earth, they having, by a tacit and voluntary consent, found out, a way how a man may fairly possess more land than he himself can use the product of, by receiving in exchange for the overplus[3] gold and silver, which may be hoarded up without injury to anyone; these metals not spoiling or decaying in the hands of the possessor. This partage[4] of things in an inequality of private possessions, men have made practicable[5] out of the bounds of society, and without compact, only by putting a value on gold and silver, and tacitly agreeing in the use of money: for in governments, the laws regulate the right of property, and the possession of land is determined by positive constitutions.

§ 51. And thus, I think, it is very easy to conceive, without any difficulty, how labor could at first begin a title of property in the common things of nature, and how the spending it upon our uses bounded it. So that there could then be no reason of quarrelling about title, nor any doubt about the largeness of possession it gave. Right and conveniency went together; for as a man had a right to all he could employ his labor upon, so he had no temptation to labor for more than he could make use of. This left no room for controversy about the title, nor for encroachment on the right of others; what portion a man carved to himself, was easily seen; and it was useless, as well as dishonest, to carve himself too much, or take more than he needed.

Chapter 6: Of Paternal Power

§ 52. It may perhaps be censured as an impertinent[6] criticism, in a discourse of this nature, to find fault with words and names, that have obtained in the world: and yet possibly it may not be amiss to offer new ones, when the old are apt to lead men into mistakes, as this of paternal power probably has done, which seems so to place the power of parents over their children wholly in the father, as if the mother had no share in it; whereas, if we consult reason or revelation, we shall find, she has an equal title. This may give one reason to ask, whether this might not be more properly called parental power? for whatever obligation nature and the right of generation lays on children, it must certainly bind them equal to both the concurrent causes of it. And accordingly we see the positive law of God every where joins them together, without distinction, when it commands the obedience of children, "Honor thy father and thy mother" (Exod. xx. 12); "Whosoever curseth his father or his mother" (Lev. xx. 9); "Ye shall fear every man his mother and his father" (Lev. xix. 3); "Children, obey your parents," &c. (Eph. vi. 1), is the style of the Old and New Testament.

§ 53. Had but this one thing been well considered, without looking any deeper into the matter, it might perhaps have kept men from running into those gross mistakes, they have made, about this power of parents; which, however it might, without any great harshness, bear the name of absolute dominion, and regal authority, when under the title of paternal power it seemed appropriated to the father, would yet have sounded but oddly, and in the very name shown the absurdity, if this supposed absolute power over children had been called parental; and thereby have discovered, that it belonged to the mother too: for it will but very ill serve the turn of those men, who contend so much for the absolute power and authority of the fatherhood, as they call it, that the mother should have any share in it; and it would have but ill supported the monarchy they contend for, when by the very name it appeared, that that fundamental authority, from whence they would derive their government of a single person only, was not placed in one, but two persons jointly. But to let this of names pass.

§ 54. Though I have said above, (Chapter II) That all men by nature are equal, I cannot be supposed to understand all sorts of equality: age or virtue may give men a just precedency:[1] excellency of parts and merit may place others above the common level: birth may subject some, and alliance or benefits others, to pay an observance to those to whom nature, gratitude, or other respects, may have made it due: and yet all this consists with the equality, which all men are in, in respect of jurisdiction or dominion one over another; which was the equality I there spoke of, as proper to the business in hand, being that equal right, that every man has, to his natural freedom, without being subjected to the will or authority of any other man.

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[1] *presently* Immediately.

[2] *carriage* Transport.

[3] *overplus* Surplus.

[4] *partage* Division.

[5] *practicable* Doable.

[6] *impertinent* Irrelevant.

§ 55. Children, I confess, are not born in this full state of equality, though they are born to it. Their parents have a sort of rule and jurisdiction over them, when they come into the world, and for some time after; but it is but a temporary one. The bonds of this subjection are like the swaddling clothes they are wrapped up in, and supported by, in the weakness of their infancy: age and reason as they grow up, loosen them, till at length they drop quite off, and leave a man at his own free disposal.

§ 56. Adam was created a perfect man, his body and mind in full possession of their strength and reason, and so was capable, from the first instant of his being to provide for his own support and preservation, and govern his actions according to the dictates of the law of reason which God had implanted in him. From him the world is peopled with his descendants, who are all born infants, weak and helpless, without knowledge or understanding: but to supply the defects of this imperfect state, till the improvement of growth and age has removed them, Adam and Eve, and after them all parents were, by the law of nature, under an obligation to preserve, nourish, and educate the children they had begotten; not as their own workmanship, but the workmanship of their own Maker, the Almighty, to whom they were to be accountable for them.

§ 57. The law, that was to govern Adam, was the same that was to govern all his posterity, the law of reason. But his offspring having another way of entrance into the world, different from him, by a natural birth, that produced them ignorant and without the use of reason, they were not presently under that law; for nobody can be under a law, which is not promulgated to him; and this law being promulgated or made known by reason only, he that is not come to the use of his reason, cannot be said to be under this law; and Adam's children, being not presently as soon as born under this law of reason, were not presently free: for law, in its true notion, is not so much the limitation as the direction of a free and intelligent agent to his proper interest, and prescribes no farther than is for the general good of those under that law: could they be happier without it, the law, as an useless thing, would of itself vanish; and that ill deserves the name of confinement which hedges us in only from bogs and precipices. So that, however it may be mistaken, the end of law is not to abolish or restrain, but to preserve and enlarge freedom: for in all the states of created beings capable of laws, where there is no law, there is no freedom: for liberty is, to be free from restraint and violence from others; which cannot be, where there is no law: but freedom is not, as we are told, a liberty for every man to do what he lists: (for who could be free, when every other man's humor[2] might domineer over him?) but a liberty to dispose, and order as he lists, his person, actions, possessions, and his whole property, within the allowance of those laws under which he is, and therein not to be subject to the arbitrary will of another, but freely follow his own.

§ 58. The power, then, that parents have over their children, arises from that duty which is incumbent on them, to take care of their offspring, during the imperfect state of childhood. To inform the mind, and govern the actions of their yet ignorant nonage,[3] till reason shall take its place, and ease them of that trouble, is what the children want, and the parents are bound to: for God having given man an understanding to direct his actions, has allowed him a freedom of will, and liberty of acting, as properly belonging thereunto, within the bounds of that law he is under. But while he is in an estate,[4] wherein he has not understanding of his own to direct his will, he is not to have any will of his own to follow: he that understands for him, must will for him too; he must prescribe to his will, and regulate his actions; but when he comes to the estate that made his father a freeman, the son is a freeman too.

§ 59. This holds in all the laws a man is under, whether natural or civil. Is a man under the law of nature? What made him free of[5] that law? what gave him a free disposing of his property, according to his own will, within the compass of that law? I answer, a state of maturity wherein he might be supposed capable to know that law, that so he might keep his actions within the bounds of it. When he has acquired that state, he is presumed to know how far that law is to be his guide, and how far he may make use of his freedom, and so comes to have it; till then, some body else must guide him, who is presumed to know how far the law allows a liberty. If such a state of reason, such an age of discretion made him free, the same shall make his son free too. Is a man under the law of England? What made him free of that law? that is, to have the liberty to dispose of his actions and possessions according to his own will, within the permission of that law? A capacity of knowing that law; which is supposed by that law, at the age of one and twenty years, and in some cases sooner. If this made the father free, it shall make the son free too. Till then we see the law allows the son to have no will, but he is to be guided by the will of his father or guardian, who is to understand for him. And if the father die, and fail to substitute a deputy in his trust; if he has not provided a tutor, to govern his son, during his minority,[1] during his want of understanding, the law takes care to do it; some other must govern him, and be a will to him, till he has attained to a state of freedom, and his understanding be fit to take the government of his will. But after that, the father and son are equally free as much as tutor and pupil after nonage; equally subjects of the same law together, without any dominion left in the father over the life, liberty, or estate of his son, whether they be only in the state and under the law of nature, or under the positive laws of an established government.

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[1] *precedency* Superiority.

[2] *humor* Temporary mood or state of mind.

[3] *nonage* State of being immature, or under the age required for something.

[4] *estate* Condition.

[5] *of* Under.

§ 60. But if, through defects that may happen out of the ordinary course of nature, anyone comes not to such a degree of reason, wherein he might be supposed capable of knowing the law, and so living within the rules of it, he is never capable of being a free man, he is never let loose to the disposure[2] of his own will (because he knows no bounds to it, has not understanding, its proper guide) but is continued under the tuition and government of others, all the time his own understanding is incapable of that charge. And so lunatics and idiots are never set free from the government of their parents;

> Children, who are not as yet come unto those years whereat they may have; and innocents which are excluded by a natural defect from ever having; thirdly, madmen, which for the present cannot possibly have the use of right reason to guide themselves, have for their guide, the reason that guideth other men which are tutors over them, to seek and procure their good for them

says Hooker (*Ecclesiastical Polity Lib.* 1. § 7.). All which seems no more than that duty, which God and nature has laid on man, as well as other creatures, to preserve their offspring, till they can be able to shift for themselves, and will scarce amount to an instance or proof of parents' regal authority.

§ 61. Thus we are born free, as we are born rational; not that we have actually the exercise of either: age, that brings one, brings with it the other too. And thus we see how natural freedom and subjection to parents may consist together,[3] and are both founded on the same principle. A child is free by his father's title, by his father's understanding, which is to govern him till he has it of his own. The freedom of a man at years of discretion, and the subjection of a child to his parents, while yet short of that age, are so consistent, and so distinguishable, that the most blinded contenders for monarchy, by right of fatherhood, cannot miss this difference; the most obstinate cannot but allow their consistency: for were their doctrine all true, were the right heir of Adam now known, and by that title settled a monarch in his throne, invested with all the absolute unlimited power Sir Robert Filmer talks of;[4] if he should die as soon as his heir were born, must not the child, notwithstanding he were never so free, never so much sovereign, be in subjection to his mother and nurse, to tutors and governors, till age and education brought him reason and ability to govern himself and others? The necessities of his life, the health of his body, and the information of his mind, would require him to be directed by the will of others, and not his own; and yet will anyone think, that this restraint and subjection were inconsistent with, or spoiled[5] him of that liberty or sovereignty he had a right to, or gave away his empire to those who had the government of his nonage? This government over him only prepared him the better and sooner for it. If anybody should ask me, when my son is of age to be free? I shall answer, just when his monarch is of age to govern. "But at what time," says the judicious Hooker (*Eccl. Pol. Lib.* 1. sect. 6), "a man may be said to have attained so far forth the use of reason, as sufficeth to make him capable of those laws whereby he is then bound to guide his actions: this is a great deal more easy for sense to discern, than for anyone by skill and learning to determine."

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[1] *minority* Period during which a child is younger than the legal age of adulthood.

[2] *disposure* Management.

[3] *consist together* Coexist.

[4] *Sir Robert Filmer talks of* Locke is dwelling on these matters at such length because Filmer's chief argument for the absolute power of the monarch is that the governing of society is based on the same principles as the governing of a family—that God granted Adam and his heirs (i.e., future monarchs) absolute fatherly authority over their people.

[5] *spoiled* Stripped.

§ 62. Commonwealths themselves take notice of, and allow, that there is a time when men are to begin to act like free men, and therefore till that time require not oaths of fealty,[1] or allegiance, or other public owning[2] of, or submission to the government of their countries.

§ 63. The freedom then of man, and liberty of acting according to his own will, is grounded on his having reason, which is able to instruct him in that law he is to govern himself by, and make him know how far he is left to the freedom of his own will. To turn him loose to an unrestrained liberty, before he has reason to guide him, is not the allowing him the privilege of his nature to be free; but to thrust him out among brutes, and abandon him to a state as wretched, and as much beneath that of a man, as theirs. This is that which puts the authority into the parents' hands to govern the minority of their children. God has made it their business to employ this care on their offspring, and has placed in them suitable inclinations of tenderness and concern to temper this power, to apply it, as his wisdom designed it, to the children's good, as long as they should need to be under it.

§ 64. But what reason can hence advance this care of the parents due to their offspring into an absolute arbitrary dominion of the father, whose power reaches no farther, than by such a discipline, as he finds most effectual, to give such strength and health to their bodies, such vigor and rectitude[3] to their minds, as may best fit his children to be most useful to themselves and others; and, if it be necessary to his condition, to make them work, when they are able, for their own subsistence. But in this power the mother too has her share with the father.

§ 65. Nay, this power so little belongs to the father by any peculiar right of nature, but only as he is guardian of his children, that when he quits his care of them, he loses his power over them, which goes along with their nourishment and education, to which it is inseparably annexed; and it belongs as much to the foster-father of an exposed child,[4] as to the natural father of another. So little power does the bare act of begetting give a man over his issue; if all his care ends there, and this be all the title he has to the name and authority of a father. And what will become of this paternal power in that part of the world, where one woman has more than one husband at a time? or in those parts of America, where, when the husband and wife part, which happens frequently, the children are all left to the mother, follow her, and are wholly under her care and provision? If the father die while the children are young, do they not naturally every where owe the same obedience to their mother, during their minority, as to their father were he alive? and will anyone say, that the mother has a legislative power over her children? that she can make standing rules, which shall be of perpetual obligation, by which they ought to regulate all the concerns of their property, and bound their liberty all the course of their lives? or can she enforce the observation of them with capital punishments? for this is the proper power of the magistrate, of which the father has not so much as the shadow. His command over his children is but temporary, and reaches not their life or property: it is but a help to the weakness and imperfection of their nonage, a discipline necessary to their education: and though a father may dispose of his own possessions as he pleases, when his children are out of danger of perishing for want, yet his power extends not to the lives or goods, which either their own industry, or another's bounty has made theirs; nor to their liberty neither, when they are once arrived to the enfranchisement[5] of the years of discretion.[6] The father's empire then ceases, and he can from thence forwards no more dispose of the liberty of his son, than that of any other man: and it must be far from an absolute or perpetual jurisdiction, from which a man may withdraw himself, having license from divine authority to "leave father and mother, and cleave[7] to his wife."[8]

§ 66. But though there be a time when a child comes to be as free from subjection to the will and command of his father, as the father himself is free from subjection to the will of anybody else, and they are each under no other restraint, but that which is common to them both, whether it be the law of nature, or municipal law of their country; yet this freedom exempts not a son from that honor which he ought, by the law of God and nature, to pay his parents. God having made the parents instruments in his great design of continuing the race of mankind, and the occasions of life to their children; as he has laid on them an obligation to nourish, preserve, and bring up their offspring; so he has laid on the children a perpetual obligation of honoring their parents, which containing in it an inward esteem and reverence to be shown by all outward expressions, ties up the child from any thing that may ever injure or affront, disturb or endanger, the happiness or life of those from whom he received his; and engages him in all actions of defense, relief, assistance and comfort of those, by whose means he entered into being, and has been made capable of any enjoyments of life: from this obligation no state, no freedom can absolve children. But this is very far from giving parents a power of command over their children, or an authority to make laws and dispose as they please of their lives or liberties. It is one thing to owe honor, respect, gratitude and assistance; another to require an absolute obedience and submission. The honor due to parents, a monarch in his throne owes his mother; and yet this lessens not his authority, nor subjects him to her government.

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[1] *fealty* Loyalty, faithfulness; oaths of fealty were sworn by medieval vassals to their lords.

[2] *owning* Acknowledgment.

[3] *rectitude* Moral or intellectual correctness.

[4] *exposed child* Child who has been cast out or abandoned.

[5] *enfranchisement* Admission to political rights.

[6] *years of discretion* The time of life at which one is presumed to be capable of prudence and good judgment about one's actions; in English law, beginning at the age of fourteen.

[7] *cleave* Cling, join.

[8] Matthew 19.5.

§ 67. The subjection of a minor places in the father a temporary government, which terminates with the minority of the child:[1] and the honor due from a child, places in the parents a perpetual right to respect, reverence, support and compliance too, more or less, as the father's care, cost, and kindness in his education, has been more or less. This ends not with minority, but holds in all parts and conditions of a man's life. The want of distinguishing these two powers, viz. that which the father has in the right of tuition,[2] during minority, and the right of honor all his life, may perhaps have caused a great part of the mistakes about this matter: for to speak properly of them, the first of these is rather the privilege of children, and duty of parents, than any prerogative[3] of paternal power. The nourishment and education of their children is a charge so incumbent on parents for their children's good, that nothing can absolve them from taking care of it: and though the power of commanding and chastising[4] them go along with it, yet God has woven into the principles of human nature such a tenderness for their offspring, that there is little fear that parents should use their power with too much rigor; the excess is seldom on the severe side, the strong bias of nature drawing the other way. And therefore God almighty when he would express his gentle dealing with the Israelites, he tells them, that though he chastened them, "he chastened them as a man chastens his son" (Deut. viii. 5), i.e., with tenderness and affection, and kept them under no severer discipline than what was absolutely best for them, and had been less kindness to have slackened. This is that power to which children are commanded obedience, that the pains and care of their parents may not be increased, or ill rewarded.

§ 68. On the other side, honor and support, all that which gratitude requires to return for the benefits received by and from them, is the indispensable duty of the child, and the proper privilege of the parents. This is intended for the parents' advantage, as the other is for the child's; though education, the parents' duty, seems to have most power, because the ignorance and infirmities of childhood stand in need of restraint and correction; which is a visible exercise of rule, and a kind of dominion. And that duty which is comprehended in the word "honor," requires less obedience, though the obligation be stronger on grown, than younger children: for who can think the command, "Children obey your parents," requires in a man, that has children of his own, the same submission to his father, as it does in his yet young children to him; and that by this precept he were bound to obey all his father's commands, if, out of a conceit of authority, he should have the indiscretion to treat him still as a boy?

§ 69. The first part then of paternal power, or rather duty, which is education, belongs so to the father, that it terminates at a certain season; when the business of education is over, it ceases of itself, and is also alienable[5] before: for a man may put the tuition of his son in other hands; and he that has made his son an apprentice to another, has discharged him, during that time, of a great part of his obedience both to himself and to his mother. But all the duty of honor, the other part, remains never the less entire to them; nothing can cancel that: it is so inseparable from them both, that the father's authority cannot dispossess the mother of this right, nor can any man discharge his son from honoring her that bore him. But both these are very far from a power to make laws, and enforcing them with penalties, that may reach estate, liberty, limbs and life. The power of commanding ends with nonage; and though, after that, honor and respect, support and defense, and whatsoever gratitude can oblige a man to, for the highest benefits he is naturally capable of, be always due from a son to his parents; yet all this puts no scepter[1] into the father's hand, no sovereign power of commanding. He has no dominion over his son's property, or actions; nor any right, that his will should prescribe to his son's in all things; however it may become his son in many things, not very inconvenient to him and his family, to pay a deference[2] to it.

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[1] *terminates with the minority of the child* Ends when the child ceases to be a minor.

[2] *tuition* Teaching.

[3] *prerogative* Privilege restricted to certain people.

[4] *chastising* Scolding or punishing.

[5] *alienable* Transferable away.

§ 70. A man may owe honor and respect to an ancient, or wise man; defense to his child or friend; relief and support to the distressed; and gratitude to a benefactor, to such a degree, that all he has, all he can do, cannot sufficiently pay it: but all these give no authority, no right to anyone, of making laws over him from whom they are owing. And it is plain, all this is due not only to the bare title of father; not only because, as has been said, it is owing to the mother too; but because these obligations to parents, and the degrees of what is required of children, may be varied by the different care and kindness, trouble and expense, which is often employed upon one child more than another.

§ 71. This shows the reason how it comes to pass, that parents in societies, where they themselves are subjects, retain a power over their children, and have as much right to their subjection, as those who are in the state of nature. Which could not possibly be, if all political power were only paternal, and that in truth they were one and the same thing: for then, all paternal power being in the prince, the subject could naturally have none of it. But these two powers, political and paternal, are so perfectly distinct and separate; are built upon so different foundations, and given to so different ends, that every subject that is a father, has as much a paternal power over his children, as the prince has over his: and every prince, that has parents, owes them as much filial[3] duty and obedience, as the meanest of his subjects do to theirs; and can therefore contain not any part or degree of that kind of dominion, which a prince or magistrate has over his subject.

§ 72. Though the obligation on the parents to bring up their children, and the obligation on children to honor their parents, contain all the power on the one hand, and submission on the other, which are proper to this relation, yet there is another power ordinarily in the father, whereby he has a tie on the obedience of his children; which though it be common to him with other men, yet the occasions of showing it, almost constantly happening to fathers in their private families and in instances of it elsewhere being rare, and less taken notice of, it passes in the world for a part of "paternal jurisdiction." And this is the power men generally have to bestow their estates on those who please them best; the possession of the father being the expectation and inheritance of the children, ordinarily in certain proportions, according to the law and custom of each country; yet it is commonly in the father's power to bestow it with a more sparing or liberal hand, according as the behavior of this or that child has comported with[4] his will and humor.

§ 73. This is no small tie on the obedience of children: and there being always annexed to the enjoyment of land, a submission to the government of the country, of which that land is a part; it has been commonly supposed, that a father could oblige[5] his posterity to that government, of which he himself was a subject, and that his compact[6] held them; whereas, it being only a necessary condition annexed to the land, and the inheritance of an estate which is under that government, reaches only those who will take it on that condition, and so is no natural tie or engagement, but a voluntary submission: for every man's children being by nature as free as himself, or any of his ancestors ever were, may, while they are in that freedom, choose what society they will join themselves to, what commonwealth they will put themselves under. But if they will enjoy the inheritance of their ancestors, they must take it on the same terms their ancestors had it, and submit to all the conditions annexed to such a possession. By this power indeed fathers oblige their children to obedience to themselves, even when they are past minority, and most commonly too subject them to this or that political power: but neither of these by any peculiar right of fatherhood, but by the reward they have in their hands to enforce and recompense such a compliance; and is no more power than what a French man has over an

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[1] *scepter* Ceremonial staff, symbol of royal authority.

[2] *become his son in many things … to pay a deference* Be proper or beneficial for the son in many ways to pay respect to his father's wishes.

[3] *filial* Of children to parents.

[4] *has comported with* Was consistent with.

[5] *oblige* Connect with bonds of loyalty or obligation.

[6] *compact* Agreement. Locke here probably means that the father's tacit social contract with his government might be passed on to his child by inheritance of land.

English man, who by the hopes of an estate he will leave him, will certainly have a strong tie on his obedience: and if, when it is left him, he will enjoy it, he must certainly take it upon the conditions annexed to the possession of land in that country where it lies, whether it be France or England.

§ 74. To conclude then, though the father's power of commanding extends no farther than the minority of his children, and to a degree only fit for the discipline and government of that age; and though that honor and respect, and all that which the Latins called piety, which they indispensably owe to their parents all their lifetime, and in all estates, with all that support and defense is due to them, gives the father no power of governing, i.e., making laws and enacting penalties on his children; though by all this he has no dominion over the property or actions of his son: yet it is obvious to conceive how easy it was, in the first ages of the world, and in places still, where the thinness of people[1] gives families leave to separate into unpossessed quarters,[2] and they have room to remove or plant themselves in yet vacant habitations, for the father of the family to become the prince of[3] it; he had been a ruler from the beginning of the infancy of his children: and since without some government it would be hard for them to live together, it was likeliest it should, by the express or tacit consent of the children when they were grown up, be in the father, where it seemed without any change barely to continue; when indeed nothing more was required to it, than the permitting the father to exercise alone, in his family, that executive power of the law of nature, which every free man naturally has, and by that permission resigning up to him a monarchical power, while they remained in it. But that this was not by any paternal right, but only by the consent of his children, is evident from hence,[4] that nobody doubts, but[5] if a stranger, whom chance or business had brought to his family, had there killed any of his children, or committed any other fact,[6] he might condemn and put him to death, or otherwise have punished him, as well as any of his children; which it was impossible he should do by virtue of any paternal authority over one who was not his child, but by virtue of that executive power of the law of nature, which, as a man, he had a right to: and he alone could punish him in his family, where the respect of his children had laid by the exercise of such a power, to give way to the dignity and authority they were willing should remain in him, above the rest of his family.

§ 75. Thus it was easy, and almost natural for children, by a tacit, and scarce avoidable consent, to make way for the father's authority and government. They had been accustomed in their childhood to follow his direction, and to refer their little differences to him, and when they were men, who fitter to rule them? Their little properties, and less covetousness,[7] seldom afforded greater controversies; and when any should arise, where could they have a fitter umpire[8] than he, by whose care they had everyone been sustained and brought up, and who had a tenderness for them all? It is no wonder that they made no distinction betwixt minority and full age; nor looked after one and twenty, or any other age that might make them the free disposers of themselves and fortunes, when they could have no desire to be out of their pupilage:[9] the government they had been under, during it, continued still to be more their protection than restraint; and they could no where find a greater security to their peace, liberties, and fortunes, than in the rule of a father.

§ 76. Thus the natural fathers of families, by an insensible change, became the politic[10] monarchs of them too: and as they chanced to live long, and leave able and worthy heirs, for several successions, or otherwise; so they laid the foundations of hereditary, or elective kingdoms, under several constitutions and manners, according as chance, contrivance, or occasions happened to mold them. But if princes have their titles in their fathers' right, and it be a sufficient proof of the natural right of fathers to political authority, because they commonly were those in whose hands we find, de facto,[1] the exercise of government: I say, if this argument be good, it will as strongly prove, that all princes, nay princes only, ought to be priests, since it is as certain, that in the beginning, the father of the family was priest, as that he was ruler in his own household.

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[1] *thinness of people* Low population density.

[2] *unpossessed quarters* Areas of unowned land.

[3] *they have room ... the prince of* [Locke's note] "It is no improbable opinion therefore, which the arch-philosopher [Aristotle—*Politics* books 3 and 4] was of, that the chief person in every household was always, as it were, a king: so when numbers of households joined themselves in civil societies together, kings were the first kind of governors among them, which is also, as it seemeth, the reason why the name of fathers continued still in them, who, of fathers, were made rulers; as also the ancient custom of governors to do as Melchizedec [Genesis 18.18–20], and being kings, to exercise the office of priests, which fathers did at the first, grew perhaps by the same occasion. Howbeit, this is not the only kind of regiment that has been received in the world. The inconveniencies of one kind have caused sundry others to be devised; so that in a word, all public regiment [rule], of what kind soever, seemeth evidently to have risen from the deliberate advice, consultation and composition between men, judging it convenient and behooveful [advantageous]; there being no impossibility in nature considered by itself, but that man might have lived without any public regiment" (Hooker, *Ecclesiastical Polity Lib.* 1. sect. 10).

[4] *hence* The following.

[5] *but* That.

[6] *fact* Evil deed.

[7] *covetousness* Desire to possess others' property.

[8] *umpire* Arbitrator.

[9] *pupilage* Period of being a young student.

[10] *politic* Political.

Chapter 7: Of Political or Civil Society

§ 77. God having made man such a creature, that in his own judgment, it was not good for him to be alone, put him under strong obligations of necessity, convenience, and inclination to drive him into society, as well as fitted him with understanding and language to continue and enjoy it. The first society was between man and wife, which gave beginning to that between parents and children; to which, in time, that between master and servant came to be added: and though all these might, and commonly did meet together, and make up but one family,[2] wherein the master or mistress of it had some sort of rule proper to a family; each of these, or all together, came short of political society, as we shall see, if we consider the different ends, ties, and bounds of each of these.

§ 78. Conjugal[3] society is made by a voluntary compact between man and woman; and though it consist chiefly in such a communion[4] and right in one another's bodies as is necessary to its chief end, procreation; yet it draws with it mutual support and assistance, and a communion of interests too, as necessary not only to unite their care and affection, but also necessary to their common off-spring, who have a right to be nourished, and maintained by them, till they are able to provide for themselves.

§ 79. For the end of conjunction, between male and female, being not barely procreation, but the continuation of the species; this conjunction betwixt male and female ought to last, even after procreation, so long as is necessary to the nourishment and support of the young ones, who are to be sustained by those that got them, till they are able to shift and provide for themselves. This rule, which the infinite wise maker has set to the works of his hands, we find the inferior creatures steadily obey. In those viviparous[5] animals which feed on grass, the conjunction between male and female lasts no longer than the very act of copulation; because the teat of the dam[6] being sufficient to nourish the young, till it be able to feed on grass, the male only begets,[7] but concerns not himself for the female or young, to whose sustenance he can contribute nothing. But in beasts of prey the conjunction lasts longer: because the dam not being able well to subsist herself, and nourish her numerous off-spring by her own prey alone, a more laborious, as well as more dangerous way of living, than by feeding on grass, the assistance of the male is necessary to the maintenance of their common family, which cannot subsist till they are able to prey for themselves, but by the joint care of male and female. The same is to be observed in all birds, (except some domestic ones, where plenty of food excuses the cock from feeding, and taking care of the young brood) whose young needing food in the nest, the cock and hen continue mates, till the young are able to use their wing, and provide for themselves.

§ 80. And herein I think lies the chief, if not the only reason, why the male and female in mankind are tied to a longer conjunction than other creatures, viz. because the female is capable of conceiving, and de facto is commonly with child again, and brings forth too a new birth, long before the former is out of a dependency for support on his parents' help, and able to shift for himself, and has all the assistance is due to him from his parents: whereby the father, who is bound to take care for those he has begot, is under an obligation to continue in conjugal society with the same woman longer than other creatures, whose young being able to subsist of themselves, before the time of procreation returns again, the conjugal bond dissolves of itself, and they are at liberty, till Hymen[8] at his usual anniversary season summons them again to choose new mates. Wherein one cannot but admire the wisdom of the great Creator, who having given to man foresight, and an ability to lay up for the future, as well as to supply the present necessity, has made it necessary, that society of man and wife should be more lasting, than of male and female among other creatures; that so their industry might be encouraged, and their interest better united, to make provision and lay up goods for their common issue, which uncertain mixture, or easy and frequent solutions of conjugal society would mightily disturb.

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[1] *de facto* Latin: in fact (contrasted here with Latin: *de jure* or "by law").

[2] *family* Household.

[3] *Conjugal* Relating to marriage.

[4] *communion* Intimate connection.

[5] *viviparous* Live-bearing (as contrasted with egg-laying).

[6] *dam* Female parent.

[7] *begets* Impregnates the female.

[8] *Hymen* Greek god of marriage.

§ 81. But though these are ties upon mankind, which make the conjugal bonds more firm and lasting in man, than the other species of animals; yet it would give one reason to enquire, why this compact, where procreation and education are secured, and inheritance taken care for, may not be made determinable,[1] either by consent, or at a certain time, or upon certain conditions, as well as any other voluntary compacts, there being no necessity in the nature of the thing, nor to the ends of it, that it should always be for life; I mean, to such as are under no restraint of any positive law, which ordains all such contracts to be perpetual.

§ 82. But the husband and wife, though they have but one common concern, yet having different understandings, will unavoidably sometimes have different wills too; it therefore being necessary that the last determination,[2] i.e., the rule, should be placed somewhere; it naturally falls to the man's share, as the abler and the stronger. But this reaching but to the things of their common interest and property,[3] leaves the wife in the full and free possession of what by contract is her peculiar right,[4] and gives the husband no more power over her life than she has over his; the power of the husband being so far from that of an absolute monarch, that the wife has in many cases a liberty to separate from him, where natural right, or their contract allows it; whether that contract be made by themselves in the state of nature, or by the customs or laws of the country they live in; and the children upon such separation fall to the father or mother's lot, as such contract does determine.

§ 83. For all the ends of marriage being to be obtained under politic government, as well as in the state of nature, the civil magistrate does not abridge the right or power of either naturally necessary to those ends, viz. procreation and mutual support and assistance while they are together; but only decides any controversy that may arise between man and wife about them. If it were otherwise, and that absolute sovereignty and power of life and death naturally belonged to the husband, and were necessary to the society between man and wife, there could be no matrimony in any of those countries where the husband is allowed no such absolute authority. But the ends of matrimony requiring no such power in the husband, the condition of conjugal society put it not in him, it being not at all necessary to that state. Conjugal society could subsist and attain its ends without it; nay, community of goods, and the power over them, mutual assistance and maintenance, and other things belonging to conjugal society, might be varied and regulated by that contract which unites man and wife in that society, as far as may consist with procreation and the bringing up of children till they could shift for themselves; nothing being necessary to any society, that is not necessary to the ends for which it is made.

§ 84. The society betwixt parents and children, and the distinct rights and powers belonging respectively to them, I have treated of so largely, in the foregoing chapter, that I shall not here need to say any thing of it. And I think it is plain, that it is far different from a politic society.

§ 85. Master and servant are names as old as history, but given to those of far different condition; for a freeman makes himself a servant to another, by selling him, for a certain time, the service he undertakes to do, in exchange for wages he is to receive: and though this commonly puts him into the family of his master, and under the ordinary discipline thereof; yet it gives the master but a temporary power over him, and no greater than what is contained in the contract between them. But there is another sort of servants, which by a peculiar name[5] we call slaves, who being captives taken in a just war, are by the right of nature subjected to the absolute dominion and arbitrary power of their masters. These men having, as I say, forfeited their lives, and with it their liberties, and lost their estates; and being in the state of slavery, not capable of any property, cannot in that state be considered as any part of civil society; the chief end whereof is the preservation of property.

§ 86. Let us therefore consider a master of a family with all these subordinate relations of wife, children, servants, and slaves, united under the domestic rule of a family; which, whatever resemblance it may have in its order, offices, and number too, with a little commonwealth, yet is very far from it, both in its constitution, power and end: or if it must be thought a monarchy, and the paterfamilias[6] the absolute monarch in it, absolute monarchy will have but a very shattered and short power, when it is plain, by what has been said before, that the master of the family has a very distinct and differently limited power, both as to time and extent, over those several persons that are in it; for excepting the slave (and the family is as much a family, and his power as paterfamilias as great, whether there be any slaves in his family or no) he has no legislative power of life and death over any of them, and none too but[1] what a mistress of a family may have as well as he. And he certainly can have no absolute power over the whole family, who has but a very limited one over every individual in it. But how a family, or any other society of men, differ from that which is properly political society, we shall best see, by considering wherein political society itself consists.

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[1] *determinable* Able to be ended.

[2] *last determination* The final say in the matter.

[3] *But this reaching ... property* But since this extends only to what is their common interest and property.

[4] *peculiar right* Private property.

[5] *by a peculiar name* Using a distinctive name applicable to them alone.

[6] *paterfamilias* Literally "father of the family," but with the implication of complete authority.

§ 87. Man being born, as has been proved, with a title to perfect freedom, and an uncontrolled enjoyment of all the rights and privileges of the law of nature, equally with any other man, or number of men in the world, has by nature a power, not only to preserve his property, that is, his life, liberty and estate, against the injuries and attempts of other men; but to judge of, and punish the breaches of that law in others, as he is persuaded the offence deserves, even with death itself, in crimes where the heinousness of the fact,[2] in his opinion, requires it. But because no political society can be, nor subsist, without having in itself the power to preserve the property, and in order thereunto, punish the offences of all those of that society; there, and there only is political society, where everyone of the members has quitted this natural power, resigned[3] it up into the hands of the community in all cases that exclude him not from appealing for protection to the law established by it. And thus all private judgment of every particular member being excluded, the community comes to be umpire, by settled standing rules, indifferent, and the same to all parties; and by men having authority from the community, for the execution of those rules, decides all the differences that may happen between any members of that society concerning any matter of right; and punishes those offences which any member has committed against the society, with such penalties as the law has established: whereby it is easy to discern, who are, and who are not, in political society together. Those who are united into one body, and have a common established law and judicature[4] to appeal to, with authority to decide controversies between them, and punish offenders, are in civil society one with another: but those who have no such common appeal, I mean on earth, are still in the state of nature, each being, where there is no other, judge for himself, and executioner; which is, as I have before shown it, the perfect state of nature.

§ 88. And thus the commonwealth comes by a power to set down what punishment shall belong to the several transgressions which they think worthy of it, committed among the members of that society, (which is the power of making laws) as well as it has the power to punish any injury done unto any of its members, by anyone that is not of it, (which is the power of war and peace;) and all this for the preservation of the property of all the members of that society, as far as is possible. But though every man who has entered into civil society, and is become a member of any commonwealth, has thereby quitted his power to punish offences, against the law of nature, in prosecution[5] of his own private judgment, yet with the judgment of offences, which he has given up to the legislative in all cases, where he can appeal to the magistrate, he has given a right to the commonwealth to employ his force, for the execution of the judgments of the commonwealth, whenever he shall be called to it; which indeed are his own judgments, they being made by himself, or his representative. And herein we have the original of the legislative and executive power of civil society, which is to judge by standing laws, how far offences are to be punished, when committed within the commonwealth; and also to determine, by occasional[6] judgments founded on the present circumstances of the fact, how far injuries from without[7] are to be vindicated;[8] and in both these to employ all the force of all the members, when there shall be need.

§ 89. Wherever therefore any number of men are so united into one society, as to quit everyone his executive power of the law of nature, and to resign it to the public, there and there only is a political, or civil society. And this is done, wherever any number of men, in the state of nature, enter into society to make one people, one body politic, under one supreme government; or else when anyone joins himself to, and incorporates with any government already made: for hereby he authorizes the society, or which is all one, the legislative thereof, to make laws for him, as the public good of the society shall require; to the execution whereof, his own assistance (as to his own decrees) is due. And this puts men out of a state of nature into that of a commonwealth, by setting up a judge on earth, with authority to determine all the controversies, and redress the injuries that may happen to any member of the commonwealth; which judge is the legislative, or magistrates appointed by it. And wherever there are any number of men, however associated, that have no such decisive power to appeal to, there they are still in the state of nature.

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[1] *none too but* Nothing but.

[2] *heinousness of the fact* Evil nature of the horrible deed.

[3] *resigned* Relinquished claim to.

[4] *judicature* System for the administration of justice.

[5] *prosecution* Pursuit, as if in court, of legal action.

[6] *occasional* Specific to the occasion.

[7] *without* Outside.

[8] *vindicated* Punished.

§ 90. Hence it is evident, that absolute monarchy, which by some men is counted the only government in the world, is indeed inconsistent with civil society, and so can be no form of civil government at all: for the end of civil society, being to avoid, and remedy those inconveniencies of the state of nature, which necessarily follow from every man's being judge in his own case, by setting up a known authority, to which everyone of that society may appeal upon any injury received, or controversy that may arise, and which everyone of the society ought to obey;[1] wherever any persons are, who have not such an authority to appeal to, for the decision of any difference between them, there those persons are still in the state of nature; and so is every absolute prince, in respect of those who are under his dominion.

§ 91. For he being supposed to have all, both legislative and executive power in himself alone, there is no judge to be found, no appeal lies open to anyone, who may fairly, and indifferently, and with authority decide, and from whose decision relief and redress may be expected of any injury or inconveniency, that may be suffered from the prince, or by his order: so that such a man, however entitled, "Czar," or "Grand Seignior," or how you please, is as much in the state of nature, with all under his dominion, as he is with the rest of mankind: for wherever any two men are, who have no standing rule, and common judge to appeal to on earth, for the determination of controversies of right betwixt them, there they are still in the state of nature, and under all the inconveniencies of it, with only this woeful difference to the subject, or rather slave of an absolute prince:[2] that whereas, in the ordinary state of nature, he has a liberty to judge of his right, and according to the best of his power, to maintain it; now, whenever his property is invaded by the will and order of his monarch, he has not only no appeal, as those in society ought to have, but as if he were degraded from the common state of rational creatures, is denied a liberty to judge of, or to defend his right; and so is exposed to all the misery and inconveniencies, that a man can fear from one, who being in the unrestrained state of nature, is yet corrupted with flattery, and armed with power.

§ 92. For he that thinks absolute power purifies men's blood, and corrects the baseness of human nature, need read but the history of this, or any other age, to be convinced of the contrary. He that would have been insolent and injurious in the woods of America, would not probably be much better in a throne; where perhaps learning and religion shall be found out to justify all that he shall do to his subjects, and the sword presently silence all those that dare question it: for what the protection of absolute monarchy is, what kind of fathers of their countries it makes princes to be and to what a degree of happiness and security it carries civil society, where this sort of government is grown to perfection, he that will look into the late relation of Ceylon,[3] may easily see.

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[1] *for the end of civil society ... society ought to obey* [Locke's note] "The public power of all society is above every soul contained in the same society; and the principal use of that power is, to give laws unto all that are under it, which laws in such cases we must obey, unless there be reason shown which may necessarily enforce [unavoidably give strength to the idea], that the law of reason, or of God, doth enjoin [impose] the contrary" (Hooker, *Ecclesiastical Polity Lib.* I. sect. 16).

[2] *for wherever any two men ... an absolute prince* [Locke's note] "To take away all such mutual grievances, injuries and wrongs," i.e., such as attend men in the state of nature, "there was no way but only by growing into composition and agreement among themselves, by ordaining some kind of government public, and by yielding themselves subject thereunto, that unto whom they granted authority to rule and govern, by them the peace, tranquility and happy estate of the rest might be procured. Men always knew that where force and injury was offered, they might be defenders of themselves; they knew that however men may seek their own commodity [advantage], yet if this were done with injury unto others, it was not to be suffered, but by all men, and all good means to be withstood. Finally, they knew that no man might in reason take upon him to determine his own right, and according to his own determination proceed in maintenance thereof, in as much as every man is towards himself, and them whom he greatly affects, partial; and therefore that strifes and troubles would be endless, except they gave their common consent, all to be ordered by some, whom they should agree upon, without which consent there would be no reason that one man should take upon him to be lord or judge over another" (Hooker, *Ecclesiastical Polity Lib.* I. sect. 10).

[3] *the late relation of Ceylon* Robert Knox, *Historical Relation of Ceylon* (1681); this was, at the time, a very well-known autobio-

§ 93. In absolute monarchies indeed, as well as other governments of the world, the subjects have an appeal to the law, and judges to decide any controversies, and restrain any violence that may happen betwixt the subjects themselves, one among another. This everyone thinks necessary, and believes he deserves to be thought a declared enemy to society and mankind, who should go about to take it away. But whether this be from a true love of mankind and society, and such a charity as we owe all one to another, there is reason to doubt: for this is no more than what every man, who loves his own power, profit, or greatness, may and naturally must do, keep those animals from hurting, or destroying one another, who labor and drudge only for his pleasure and advantage; and so are taken care of, not out of any love the master has for them, but love of himself, and the profit they bring him: for if it be asked, what security, what fence is there, in such a state, against the violence and oppression of this absolute ruler? the very question can scarce be borne. They are ready to tell you, that it deserves death only to ask after safety. Betwixt subject and subject, they will grant, there must be measures, laws and judges, for their mutual peace and security: but as for the ruler, he ought to be absolute, and is above all such circumstances; because he has power to do more hurt and wrong, it is right when he does it. To ask how you may be guarded from harm, or injury, on that side where the strongest hand is to do it, is presently the voice of faction and rebellion: as if when men quitting the state of nature entered into society, they agreed that all of them but one, should be under the restraint of laws, but that he should still retain all the liberty of the state of nature, increased with power, and made licentious by impunity.[1] This is to think, that men are so foolish, that they take care to avoid what mischiefs may be done them by polecats, or foxes; but are content, nay, think it safety, to be devoured by lions.

§ 94. But whatever flatterers may talk to amuse people's understandings, it hinders not men from feeling; and when they perceive, that any man, in whatever station, is out of the bounds of the civil society which they are of, and that they have no appeal on earth against any harm, they may receive from him, they are apt to think themselves in the state of nature, in respect of him whom they find to be so; and to take care, as soon as they can, to have that safety and security in civil society, for which it was first instituted, and for which only they entered into it. And therefore, though perhaps at first, (as shall be shown more at large hereafter in the following part of this discourse) some one good and excellent man having got a preeminence among the rest, had this deference paid to his goodness and virtue, as to a kind of natural authority, that the chief rule, with arbitration of their differences, by a tacit consent devolved[2] into his hands, without any other caution, but the assurance they had of his uprightness and wisdom; yet when time, giving authority, and (as some men would persuade us) sacredness of customs, which the negligent, and unforeseeing innocence of the first ages began, had brought in successors of another stamp,[3] the people finding their properties not secure under the government, as then it was, (whereas government has no other end but the preservation of[4] property) could never be safe nor at rest, nor think themselves in civil society, till the legislature was placed in collective bodies of men, call them senate, parliament, or what you please. By which means every single person became subject, equally with other the meanest men,[5] to those laws, which he himself, as part of the legislative, had established; nor could anyone, by his own authority; avoid the force of the law, when once made; nor by any pretence of superiority plead exemption, thereby to license his own, or the miscarriages[6] of any of his dependents.[7] No man in civil society can be exempted from the laws of it: for if any man may do what he thinks fit, and there be no appeal on earth, for redress or security against any harm he shall do; I ask, whether he be not perfectly still in the state of nature,

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graphical account of a sailor who was held captive by a king of Ceylon—now Sri Lanka—for nineteen years.

[1] *made licentious by impunity* Made immoral by freedom from consequences of their actions.

[2] *devolved* Passed into.

[3] *stamp* Type.

[4] *no other end but the presentation of* [Locke's note] "At the first, when some certain kind of regiment was once appointed, it may be that nothing was then farther thought upon for the manner of governing, but all permitted unto their wisdom and discretion, which were to rule, till by experience they found this for all parts very inconvenient, so as the thing which they had devised for a remedy, did indeed but increase the sore, which it should have cured. They saw, that to live by one man's will, became the cause of all men's misery. This constrained them to come unto laws, wherein all men might see their duty beforehand, and know the penalties of transgressing them" (Hooker, *Ecclesiastical Polity Lib.* I. sect. 10).

[5] *other the meanest men* Other people of the lowest social status.

[6] *miscarriages* Mishandlings.

[7] *dependents* [Locke's note] "Civil law being the act of the whole body politic, doth therefore overrule each several part of the same body" (Hooker, *Ibid.*).

and so can be no part or member of that civil society; unless anyone will say, the state of nature and civil society are one and the same thing, which I have never yet found anyone so great a patron of anarchy as to affirm.

Chapter 8: Of the Beginning of Political Societies

§ 95. Men being, as has been said, by nature, all free, equal, and independent, no one can be put out of this estate, and subjected to the political power of another, without his own consent. The only way whereby anyone divests himself of his natural liberty, and puts on the bonds of civil society, is by agreeing with other men to join and unite into a community for their comfortable, safe, and peaceable living one among another, in a secure enjoyment of their properties, and a greater security against any, that are not of it. This any number of men may do, because it injures not the freedom of the rest; they are left as they were in the liberty of the state of nature. When any number of men have so consented to make one community or government, they are thereby presently incorporated, and make one body politic, wherein the majority have a right to act and conclude[1] the rest.

§ 96. For when any number of men have, by the consent of every individual, made a community, they have thereby made that community one body, with a power to act as one body, which is only by the will and determination of the majority: for that which acts[2] any community, being only the consent of the individuals of it, and it being necessary to that which is one body to move one way; it is necessary the body should move that way whither the greater force carries it, which is the consent of the majority: or else it is impossible it should act or continue one body, one community, which the consent of every individual that united into it, agreed that it should; and so everyone is bound by that consent to be concluded by the majority. And therefore we see, that in assemblies, empowered to act by positive laws, where no number is set by that positive law which empowers them, the act of the majority passes for the act of the whole, and of course determines, as having, by the law of nature and reason, the power of the whole.

§ 97. And thus every man, by consenting with others to make one body politic under one government, puts himself under an obligation, to everyone of that society, to submit to the determination of the majority, and to be concluded by it; or else this original compact, whereby he with others incorporates into one society, would signify nothing, and be no compact, if he be left free, and under no other ties than he was in before in the state of nature. For what appearance would there be of any compact? what new engagement if he were no farther tied by any decrees of the society, than he himself thought fit, and did actually consent to? This would be still as great a liberty, as he himself had before his compact, or anyone else in the state of nature has, who may submit himself, and consent to any acts of it if he thinks fit.

§ 98. For if the consent of the majority shall not, in reason, be received as the act of the whole, and conclude every individual; nothing but the consent of every individual can make any thing to be the act of the whole: but such a consent is next to impossible ever to be had, if we consider the infirmities of health, and avocations[3] of business, which in a number, though much less than that of a commonwealth, will necessarily keep many away from the public assembly. To which if we add the variety of opinions, and contrariety of interests, which unavoidably happen in all collections of men, the coming into society upon such terms would be only like Cato's coming into the theatre, only to go out again.[4] Such a constitution as this would make the mighty Leviathan[5] of a shorter duration, than the feeblest creatures, and not let it outlast the day it was born in: which cannot be supposed, till we can think, that rational creatures should desire and constitute societies only to be dissolved: for where the majority cannot conclude the rest, there they cannot act as one body, and consequently will be immediately dissolved again.

§ 99. Whosoever therefore out of a state of nature unite into a community, must be understood to give up all the power, necessary to the ends for which they unite into society, to the majority of the community, unless they expressly agreed in any number greater than the majority. And this is done by barely agreeing to unite into one political society, which is all the compact that is, or needs be, between the individuals, that enter into, or make up a commonwealth. And thus that, which begins and actually constitutes any political society, is nothing but the consent of any number of freemen capable of a majority to unite and incorporate into such a society. And this is that, and that only, which did, or could give beginning to any lawful government in the world.

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[1] *conclude* Decide for.

[2] *acts* Puts in motion.

[3] *avocations* Distractions.

[4] *Cato's coming ... go out again* Marcus Porcius Cato Uticensis (95–46 BCE), also known as Cato the Younger, was a Roman statesman and orator known for his emphasis on moral integrity. In one of his *Epigrams*, the Roman poet Martial implies that Cato's very presence would be an unwelcome distraction in the lighthearted context of the theatre: "Why, stern Cato, did you come to the theatre? Did you then enter only to leave?"

[5] *Leviathan* A large beast or sea-monster in the Bible. The reference here is to Hobbes, who used that term as the title of his famous book and as a name for the huge and formidable state with absolute powers that he advocated as the only effective form of government. Locke was eager to disassociate himself from Hobbes; this is one of the very few more-or-less explicit references to him.

§ 100. To this I find two objections made.

First, That there are no instances to be found in story,[1] of a company of men independent, and equal one among another, that met together, and in this way began and set up a government.

Secondly, It is impossible of right, that men should do so, because all men being born under government, they are to submit to that, and are not at liberty to begin a new one.

§ 101. To the first there is this to answer, That it is not at all to be wondered, that history gives us but a very little account of men, that lived together in the state of nature. The inconveniencies of that condition, and the love and want of society, no sooner brought any number of them together, but they presently united and incorporated, if they designed to continue together. And if we may not suppose men ever to have been in the state of nature, because we hear not much of them in such a state, we may as well suppose the armies of Salmanasser[2] or Xerxes[3] were never children, because we hear little of them, till they were men, and embodied in armies. Government is every where antecedent to records, and letters seldom come in among a people till a long continuation of civil society has, by other more necessary arts, provided for their safety, ease, and plenty: and then they begin to look after the history of their founders, and search into their original, when they have outlived the memory of it: for it is with commonwealths as with particular persons, they are commonly ignorant of their own births and infancies: and if they know any thing of their original, they are beholden for it, to the accidental records that others have kept of it. And those that we have, of the beginning of any polities in the world, excepting that of the Jews, where God himself immediately interposed, and which favors not at all paternal dominion, are all either plain instances of such a beginning as I have mentioned, or at least have manifest footsteps of it.

§ 102. He must show a strange inclination to deny evident matter of fact, when it agrees not with his hypothesis, who will not allow, that the beginning of Rome and Venice were by the uniting together of several men free and independent one of another, among whom there was no natural superiority or subjection. And if Josephus Acosta's word may be taken, he tells us, that in many parts of America there was no government at all. "There are great and apparent conjectures," says he, "that these men," speaking of those of Peru, "for a long time had neither kings nor commonwealths, but lived in troops, as they do this day in Florida, the Cheriquanas, those of Brazil, and many other nations, which have no certain kings, but as occasion is offered, in peace or war, they choose their captains as they please." 1.1. c. 25.[4] If it be said, that every man there was born subject to his father, or the head of his family; that the subjection due from a child to a father took not away his freedom of uniting into what political society he thought fit, has been already proved. But be that as it will, these men, it is evident, were actually free; and whatever superiority some politicians now would place in any of them, they themselves claimed it not, but by consent were all equal, till by the same consent they set rulers over themselves. So that their politic societies all began from a voluntary union, and the mutual agreement of men freely acting in the choice of their governors, and forms of government.

§ 103. And I hope those who went away from Sparta with Palantus, mentioned by Justin, 1. 3. c. 4.[5] will be allowed to have been freemen independent one of another, and to have set up a government over themselves, by their own consent. Thus I have given several examples, out of history, of people free and in the state of nature, that being met together incorporated and began a commonwealth. And if the want of such instances be an argument to prove that government were not, nor could not be so begun, I suppose the contenders for paternal empire were better let it alone, than urge it against natural liberty: for if they can give so many instances, out of history, of governments begun upon paternal right, I think (though at best an argument from what has been, to what should of right be, has no great force) one might, without any great danger, yield them the cause. But if I might advise them in the case, they would do well not to search too much into the original of governments, as they have begun de facto, lest they should find, at the foundation of most of them, something very little favorable to the design they promote, and such a power as they contend for.

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[1] *story* History.

[2] *Salmanasser* Shalmaneser V (or IV) (727–22 BCE) was king of Assyria; his fight against the Israelites is referred to in the Bible (2 Kings).

[3] *Xerxes* Xerxes (d. 465 BCE) was king of Persia; he led the second Persian invasion of Greece.

[4] *1.1. c. 25* In *Natural and Moral History of the Indies* by José de Acosta (Spanish, 1540–1600). Acosta's book provided the first detailed description of the geography and culture of Latin America and of Aztec history.

[5] *those who went ... Justin, 1. 3. c. 4* Marcus Junianus Justinus, Roman historian of the third century CE. In his major work (now lost) he described the group of young Spartans, who, born out of wedlock and thus denied rights in Sparta, left and, under their leader Phalanthus, conquered Tarentum (modern Taranto) in Southern Italy around 708 BCE and set up a new independent state.

§ 104. But to conclude, reason being plain on our side, that men are naturally free, and the examples of history showing, that the governments of the world, that were begun in peace, had their beginning laid on that foundation, and were made by the consent of the people; there can be little room for doubt, either where the right is, or what has been the opinion, or practice of mankind, about the first erecting of governments.

§ 105. I will not deny, that if we look back as far as history will direct us, towards the original of commonwealths, we shall generally find them under the government and administration of one man. And I am also apt to believe, that where a family was numerous enough to subsist by itself, and continued entire together, without mixing with others, as it often happens, where there is much land, and few people, the government commonly began in the father: for the father having, by the law of nature, the same power with every man else to punish, as he thought fit, any offences against that law, might thereby punish his transgressing children, even when they were men, and out of their pupilage;[1] and they were very likely to submit to his punishment, and all join with him against the offender, in their turns, giving him thereby power to execute his sentence against any transgression, and so in effect make him the law-maker, and governor over all that remained in conjunction with his family. He was fittest to be trusted; paternal affection secured their property and interest under his care; and the custom of obeying him, in their childhood, made it easier to submit to him, rather than to any other. If therefore they must have one to rule them, as government is hardly to be avoided among men that live together; who so likely to be the man as he that was their common father; unless negligence, cruelty, or any other defect of mind or body made him unfit for it? But when either the father died, and left his next heir, for want of age, wisdom, courage, or any other qualities, less fit for rule; or where several families met, and consented to continue together; there, it is not to be doubted, but they used their natural freedom, to set up him, whom they judged the ablest, and most likely, to rule well over them. Conformable hereunto we find the people of America, who (living out of the reach of the conquering swords, and spreading domination of the two great empires of Peru and Mexico) enjoyed their own natural freedom, though, caeteris paribus,[2] they commonly prefer the heir of their deceased king; yet if they find him any way weak, or incapable, they pass him by, and set up the stoutest and bravest man for their ruler.

§ 106. Thus, though looking back as far as records give us any account of peopling the world, and the history of nations, we commonly find the government to be in one hand; yet it destroys not that which I affirm, viz. that the beginning of politic society depends upon the consent of the individuals, to join into, and make one society; who, when they are thus incorporated, might set up what form of government they thought fit. But this having given occasion to men to mistake, and think, that by nature government was monarchical, and belonged to the father, it may not be amiss here to consider, why people in the beginning generally pitched upon[3] this form, which though perhaps the father's pre-eminency might, in the first institution of some commonwealths, give a rise to, and place in the beginning, the power in one hand; yet it is plain that the reason, that continued the form of government in a single person, was not any regard, or respect to paternal authority; since all petty monarchies, that is, almost all monarchies, near their original, have been commonly, at least upon occasion, elective.

§ 107. First then, in the beginning of things, the father's government of the childhood of those sprung from him, having accustomed them to the rule of one man, and taught them that where it was exercised with care and skill, with affection and love to those under it, it was sufficient to procure and preserve to men all the political happiness they sought for in society. It was no wonder that they should pitch upon, and naturally run into that form of government, which from their infancy they had been all accustomed to; and which, by experience, they had found both easy and safe. To which, if we add, that monarchy being simple, and most obvious to men, whom neither experience had instructed in forms of government, nor the ambition or insolence of empire had taught to beware of the encroachments[1] of prerogative, or the inconveniencies of absolute power, which monarchy in succession was apt to lay claim to, and bring upon them, it was not at all strange, that they should not much trouble themselves to think of methods of restraining any exorbitances[2] of those to whom they had given the authority over them, and of balancing the power of government, by placing several parts of it in different hands. They had neither felt the oppression of tyrannical dominion, nor did the fashion of the age, nor their possessions, or way of living, (which afforded little matter for covetousness or ambition) give them any reason to apprehend[3] or provide against it; and therefore it is no wonder they put themselves into such a frame of government, as was not only, as I said, most obvious and simple, but also best suited to their present state and condition; which stood more in need of defense against foreign invasions and injuries, than of multiplicity of laws. The equality of a simple poor way of living, confining their desires within the narrow bounds of each man's small property, made few controversies,[4] and so no need of many laws to decide them, or variety of officers to superintend the process, or look after the execution of justice, where there were but few trespasses, and few offenders. Since then those, who like one another so well as to join into society, cannot but be supposed to have some acquaintance and friendship together, and some trust one in another; they could not but have greater apprehensions of others, than of one another: and therefore their first care and thought cannot but be supposed to be, how to secure themselves against foreign force. It was natural for them to put themselves under a frame of government which might best serve to that end, and choose the wisest and bravest man to conduct them in their wars, and lead them out against their enemies, and in this chiefly be their ruler.

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[1] *out of their pupilage* No longer school-age.

[2] *caeteris paribus* Latin: everything else being equal.

[3] *pitched upon* Settled on.

§ 108. Thus we see, that the kings of the Indians in America, which is still a pattern of the first ages in Asia and Europe, while the inhabitants were too few for the country, and want of people and money gave men no temptation to enlarge their possessions of land, or contest for wider extent of ground, are little more than generals of their armies; and though they command absolutely in war, yet at home and in time of peace they exercise very little dominion, and have but a very moderate sovereignty, the resolutions of peace and war being ordinarily either in the people, or in a council. Though the war itself, which admits not of plurality of governors, naturally devolves the command into the king's sole authority.

§ 109. And thus in Israel itself, the chief business of their judges, and first kings, seems to have been to be captains in war, and leaders of their armies; which (besides what is signified by "going out and in before the people," which was, to march forth to war, and home again in the heads of their forces) appears plainly in the story of Jephtha. The Ammonites making war upon Israel, the Gileadites in fear send to Jephtha, a bastard of their family whom they had cast off, and article with him, if he will assist them against the Ammonites, to make him their ruler; which they do in these words, "And the people made him head and captain over them" (Judges 11.11), which was, as it seems, all one as to be judge. "And he judged Israel" (Judges 7.7), that is, was their captain-general six years. So when Jotham upbraids the Shechemites with the obligation they had to Gideon, who had been their judge and ruler, he tells them, "He fought for you, and adventured[5] his life far, and delivered you out of the hands of Midian" (Judges 9.17). Nothing mentioned of him but what he did as a general: and indeed that is all is found in his history, or in any of the rest of the judges. And Abimelech particularly is called king, though at most he was but their general. And when, being weary of the ill conduct of Samuel's sons, the children of Israel desired a king, "like all the nations to judge them, and to go out before them, and to fight their battles" (1 Samuel 8.20), God granting their desire, says to Samuel, "I will send thee a man, and thou shalt anoint him to be captain over my people Israel, that he may save my people out of the hands of the Philistines" (9.16), as if the only business of a king had been to lead out their armies, and fight in their defense; and accordingly at his inauguration pouring a vial of oil upon him, declares to Saul, that "the Lord had anointed him to be captain over his inheritance" (10.1). And therefore those, who after Saul's being solemnly chosen and saluted king by the tribes at Mispah, were unwilling to have him their king, made no other objection but this, "How shall this man save us?" (5.27), as if they should have said, "This man is unfit to be our king, not having skill and conduct enough in war, to be able to defend us." And when God resolved to transfer the government to David, it is in these words, "But now thy kingdom shall not continue: the Lord has sought him a man after his own heart, and the Lord has commanded him to be captain over his people" (8.14), as if the whole kingly authority were nothing else but to be their general: and therefore the tribes who had stuck to Saul's family, and opposed David's reign, when they came to Hebron with terms of submission to him, they tell him, among other arguments they had to submit to him as to their king, that he was in effect their king in Saul's time, and therefore they had no reason but to receive him as their king now. "Also," say they, "in time past, when Saul was king over us, thou wast he that leddest out and broughtest in Israel, and the Lord said unto thee, 'Thou shalt feed my people Israel, and thou shalt be a captain over Israel.'"[1]

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[1] *encroachments* Illicit inroads.

[2] *exorbitances* Unreasonable extremes.

[3] *apprehend* Fear.

[4] *controversies* Disputes.

[5] *adventured* Risked.

§ 110. Thus, whether a family by degrees grew up into a commonwealth, and the fatherly authority being continued on to the elder son, everyone in his turn growing up under it, tacitly submitted to it, and the easiness and equality of it not offending anyone, everyone acquiesced, till time seemed to have confirmed it, and settled a right of succession by prescription: or whether several families, or the descendants of several families, whom chance, neighborhood, or business brought together, uniting into society, the need of a general, whose conduct might defend them against their enemies in war, and the great confidence the innocence and sincerity of that poor but virtuous age, (such as are almost all those which begin governments, that ever come to last in the world) gave men one of another, made the first beginners of commonwealths generally put the rule into one man's hand, without any other express limitation or restraint, but what the nature of the thing, and the end of government required: which ever of those it was that at first put the rule into the hands of a single person, certain it is nobody was entrusted with it but for the public good and safety, and to those ends, in the infancies of commonwealths, those who had it commonly used it. And unless they had done so, young societies could not have subsisted; without such nursing fathers tender and careful of the public weal, all governments would have sunk under the weakness and infirmities of their infancy, and the prince and the people had soon perished together.

§ 111. But though the golden age (before vain ambition, and amor sceleratus habendi,[2] evil concupiscence,[3] had corrupted men's minds into a mistake of true power and honor) had more virtue, and consequently better governors, as well as less vicious subjects, and there was then no stretching prerogative on the one side, to oppress the people; nor consequently on the other, any dispute about privilege, to lessen or restrain the power of the magistrate, and so no contest betwixt rulers and people about governors or government:[4] yet, when ambition and luxury in future ages would retain and increase the power, without doing the business for which it was given; and aided by flattery, taught princes to have distinct and separate interests from their people, men found it necessary to examine more carefully the original and rights of government; and to find out ways to restrain the exorbitances, and prevent the abuses of that power, which they having entrusted in another's hands only for their own good, they found was made use of to hurt them.

§ 112. Thus we may see how probable it is, that people that were naturally free, and by their own consent either submitted to the government of their father, or united together out of different families to make a government, should generally put the rule into one man's hands, and choose to be under the conduct of a single person, without so much as by express conditions limiting or regulating his power, which they thought safe enough in his honesty and prudence; though they never dreamed of monarchy being jure Divino,[5] which we never heard of among mankind, till it was revealed to us by the divinity of this last age; nor ever allowed paternal power to have a right to dominion, or to be the foundation of all government. And thus much may suffice to show, that as far as we have any light from history, we have reason to conclude, that all peaceful beginnings of government have been laid in the consent of the people. I say peaceful, because I shall have occasion in another place to speak of conquest, which some esteem a way of beginning of governments.

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[1] 2 Samuel 5.2.

[2] *amor sceleratus habendi* Latin: accursed love of possessing.

[3] *concupiscence* Lust.

[4] *nor consequently ... governors or government* [Locke's note] "At first, when some certain kind of regiment was once approved, it may be nothing was then farther thought upon for the manner of governing, but all permitted unto their wisdom and discretion which were to rule, till by experience they found this for all parts very inconvenient, so as the thing which they had devised for a remedy, did indeed but increase the sore which it should have cured. They saw, that to live by one man's will, became the cause of all men's misery. This constrained them to come unto laws wherein all men might see their duty before hand, and know the penalties of transgressing them" (Hooker, *Ecclesiastical Polity Lib.* 1. sect. 10).

[5] *jure Divino* Latin: by divine right.

The other objection I find urged against the beginning of polities, in the way I have mentioned, is this, viz.

§ 113. That all men being born under government, some or other,[1] it is impossible any of them should ever be free, and at liberty to unite together, and begin a new one, or ever be able to erect a lawful government.

If this argument be good; I ask, how came so many lawful monarchies into the world? for if anybody, upon this supposition, can show me any one man in any age of the world free to begin a lawful monarchy, I will be bound to show him ten other free men at liberty, at the same time to unite and begin a new government under a regal, or any other form; it being demonstration, that if anyone, born under the dominion of another, may be so free as to have a right to command others in a new and distinct empire, everyone that is born under the dominion of another may be so free too, and may become a ruler, or subject, of a distinct separate government. And so by this their own principle, either all men, however born, are free, or else there is but one lawful prince, one lawful government in the world. And then they have nothing to do, but barely to show us which that is; which when they have done, I doubt not but all mankind will easily agree to pay obedience to him.

§ 114. Though it be a sufficient answer to their objection, to show that it involves them in the same difficulties that it does those they use it against; yet I shall endeavor to discover the weakness of this argument a little farther. "All men," say they, "are born under government, and therefore they cannot be at liberty to begin a new one. Everyone is born a subject to his father, or his prince, and is therefore under the perpetual tie of subjection and allegiance." It is plain mankind never owned nor considered any such natural subjection that they were born in, to one or to the other that tied them, without their own consents, to a subjection to them and their heirs.

§ 115. For there are no examples so frequent in history, both sacred and profane,[2] as those of men withdrawing themselves, and their obedience, from the jurisdiction they were born under, and the family or community they were bred up in, and setting up new governments in other places; from whence sprang all that number of petty commonwealths in the beginning of ages, and which always multiplied, as long as there was room enough, till the stronger, or more fortunate, swallowed the weaker; and those great ones again breaking to pieces, dissolved into lesser dominions. All [of] which are so many testimonies against paternal sovereignty, and plainly prove, that it was not the natural right of the father descending to his heirs, that made governments in the beginning, since it was impossible, upon that ground, there should have been so many little kingdoms; all must have been but only one universal monarchy, if men had not been at liberty to separate themselves from their families, and the government, be it what it will, that was set up in it, and go and make distinct commonwealths and other governments, as they thought fit.

§ 116. This has been the practice of the world from its first beginning to this day; nor is it now any more hindrance to the freedom of mankind, that they are born under constituted and ancient polities, that have established laws, and set forms of government, than if they were born in the woods, among the unconfined inhabitants, that run loose in them: for those, who would persuade us, that by being born under any government, we are naturally subjects to it, and have no more any title or pretence to the freedom of the state of nature, have no other reason (bating[3] that of paternal power, which we have already answered) to produce for it, but only, because our fathers or progenitors[4] passed away their natural liberty, and thereby bound up themselves and their posterity to a perpetual subjection to the government, which they themselves submitted to. It is true, that whatever engagements or promises anyone has made for himself, he is under the obligation of them, but cannot, by any compact whatsoever, bind his children or posterity: for his son, when a man, being altogether as free as the father, any act of the father can no more give away the liberty of the son, than it can of anybody else: he may indeed annex such conditions to the land, he enjoyed as a subject of any commonwealth, as may oblige his son to be of that community, if he will enjoy those possessions which were his father's; because that estate being his father's property, he may dispose, or settle it, as he pleases.

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[1] *government, some or other* Some government or other.

[2] *profane* Secular—not involved with religion.

[3] *bating* Excepting.

[4] *progenitors* Ancestors.

§ 117. And this has generally given the occasion to mistake in this matter; because commonwealths not permitting any part of their dominions to be dismembered, nor to be enjoyed by any but those of their community, the son cannot ordinarily enjoy the possessions of his father, but under the same terms his father did, by becoming a member of the society; whereby he puts himself presently under the government he finds there established, as much as any other subject of that commonwealth. And thus the consent of freemen, born under government, which only makes them members of it, being given separately in their turns, as each comes to be of age, and not in a multitude together; people take no notice of it, and thinking it not done at all, or not necessary, conclude they are naturally subjects as they are men.

§ 118. But, it is plain, governments themselves understand it otherwise; they claim no power over the son, because of that they had over the father; nor look on children as being their subjects, by their fathers being so. If a subject of England have a child, by an English woman in France, whose subject is he? Not the king of England's; for he must have leave to be admitted to the privileges of it: nor the king of France's; for how then has his father a liberty to bring him away, and breed him as he pleases? and who ever was judged as a traitor or deserter, if he left, or warred against a country, for being barely born in it of parents that were aliens there? It is plain then, by the practice of governments themselves, as well as by the law of right reason, that a child is born a subject of no country or government. He is under his father's tuition and authority, till he comes to age of discretion; and then he is a freeman, at liberty what government he will put himself under, what body politic he will unite himself to: for if an Englishman's son, born in France, be at liberty, and may do so, it is evident there is no tie upon him by his father's being a subject of this kingdom; nor is he bound up by any compact of his ancestors. And why then has not his son, by the same reason, the same liberty, though he be born anywhere else? Since the power that a father has naturally over his children, is the same, where-ever they be born, and the ties of natural obligations, are not bounded by the positive limits of kingdoms and commonwealths.

§ 119. Every man being, as has been shown, naturally free, and nothing being able to put him into subjection to any earthly power, but only his own consent; it is to be considered, what shall be understood to be a sufficient declaration of a man's consent, to make him subject to the laws of any government. There is a common distinction of an express and a tacit consent, which will concern our present case. Nobody doubts but an express consent, of any man entering into any society, makes him a perfect member of that society, a subject of that government. The difficulty is, what ought to be looked upon as a tacit consent, and how far it binds, i.e., how far anyone shall be looked on to have consented, and thereby submitted to any government, where he has made no expressions of it at all. And to this I say, that every man, that has any possessions, or enjoyment, of any part of the dominions of any government, does thereby give his tacit consent, and is as far forth obliged to obedience to the laws of that government, during such enjoyment, as anyone under it; whether this his possession be of land, to him and his heirs forever, or a lodging only for a week; or whether it be barely traveling freely on the highway; and in effect, it reaches as far as the very being of anyone within the territories of that government.

§ 120. To understand this the better, it is fit to consider, that every man, when he at first incorporates himself into any commonwealth, he, by his uniting himself thereunto, annexed also, and submits to the community, those possessions, which he has, or shall acquire, that do not already belong to any other government: for it would be a direct contradiction, for anyone to enter into society with others for the securing and regulating of property; and yet to suppose his land, whose property is to be regulated by the laws of the society, should be exempt from the jurisdiction of that government, to which he himself, the proprietor of the land, is a subject. By the same act therefore, whereby anyone unites his person, which was before free, to any commonwealth, by the same he unites his possessions, which were before free, to it also; and they become, both of them, person and possession, subject to the government and dominion of that commonwealth, as long as it has a being. Whoever therefore, from thenceforth, by inheritance, purchase, permission, or otherwise, enjoys any part of the land, so annexed to, and under the government of that commonwealth, must take it with the condition it is under; that is, of submitting to the government of the commonwealth, under whose jurisdiction it is, as far forth as any subject of it.

§ 121. But since the government has a direct jurisdiction only over the land, and reaches the possessor of it, (before he has actually incorporated himself in the society) only as he dwells upon, and enjoys that; the obligation anyone is under, by virtue of such enjoyment, to submit to the government, begins and ends with the enjoyment; so that whenever the owner, who has given nothing but such a tacit consent to the government, will, by donation, sale, or otherwise, quit the said possession, he is at liberty to go and incorporate himself into any other commonwealth; or to agree with others to begin a new one, in vacuis locis,[1] in any part of the world, they can find free and unpossessed: whereas he, that has once, by actual agreement, and any express declaration, given his consent to be of any commonwealth, is perpetually and indispensably obliged to be, and remain unalterably a subject to it, and can never be again in the liberty of the state of nature; unless, by any calamity, the government he was under comes to be dissolved; or else by some public act cuts him off from being any longer a member of it.

§ 122. But submitting to the laws of any country, living quietly, and enjoying privileges and protection under them, makes not a man a member of that society: this is only a local protection and homage due to and from all those, who, not being in a state of war, come within the territories belonging to any government, to all parts whereof the force of its laws extends. But this no more makes a man a member of that society, a perpetual subject of that commonwealth, than it would make a man a subject to another, in whose family he found it convenient to abide for some time; though, while he continued in it, he were obliged to comply with the laws, and submit to the government he found there. And thus we see, that foreigners, by living all their lives under another government, and enjoying the privileges and protection of it, though they are bound, even in conscience, to submit to its administration, as far forth as any denizen; yet do not thereby come to be subjects or members of that commonwealth. Nothing can make any man so, but his actually entering into it by positive engagement, and express promise and compact. This is that, which I think, concerning the beginning of political societies, and that consent which makes anyone a member of any commonwealth.

Chapter 9: Of the Ends[2] of Political Society and Government

§ 123. If man in the state of nature be so free, as has been said; if he be absolute lord of his own person and possessions, equal to the greatest, and subject to nobody, why will he part with his freedom? why will he give up this empire, and subject himself to the dominion and control of any other power? To which it is obvious to answer, that though in the state of nature he has such a right, yet the enjoyment of it is very uncertain, and constantly exposed to the invasion of others: for all being kings as much as he, every man his equal, and the greater part no strict observers of equity and justice, the enjoyment of the property he has in this state is very unsafe, very insecure. This makes him willing to quit a condition, which, however free, is full of fears and continual dangers: and it is not without reason, that he seeks out, and is willing to join in society with others, who are already united, or have a mind to unite, for the mutual preservation of their lives, liberties and estates, which I call by the general name, property.

§ 124. The great and chief end, therefore, of men's uniting into commonwealths, and putting themselves under government, is the preservation of their property. To which in the state of nature there are many things wanting.

First, There wants an established, settled, known law, received and allowed by common consent to be the standard of right and wrong, and the common measure to decide all controversies between them: for though the law of nature be plain and intelligible to all rational creatures; yet men being biased by their interest, as well as ignorant for want of study of it, are not apt to allow of it as a law binding to them in the application of it to their particular cases.

§ 125. Secondly, In the state of nature there wants a known and indifferent judge, with authority to determine all differences according to the established law: for everyone in that state being both judge and executioner of the law of nature, men being partial to themselves, passion and revenge is very apt to carry them too far, and with too much heat, in their own cases; as well as negligence, and unconcernedness, to make them too remiss in other men's.

§ 126. Thirdly, In the state of nature there often wants power to back and support the sentence when right, and to give it due execution. They who by any injustice offended, will seldom fail, where they are able, by force to make good their injustice; such resistance many times makes the punishment dangerous, and frequently destructive, to those who attempt it.

§ 127. Thus mankind, notwithstanding all the privileges of the state of nature, being but in an ill condition, while they remain in it, are quickly driven into society. Hence it comes to pass, that we seldom find any number of men live any time together in this state. The inconveniencies that they are therein exposed to, by the irregular and uncertain exercise of the power every man has of punishing the transgressions of others, make them take sanctuary under the established laws of government, and therein seek the preservation of their property. It is this makes them so willingly give up everyone his single power of punishing, to be exercised by such alone, as shall be appointed to it among them; and by such rules as the community, or those authorized by them to that purpose, shall agree on. And in this we have the original right and rise of both the legislative and executive power, as well as of the governments and societies themselves.

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[1] *in vacuis locis* Latin: in empty places.

[2] *Ends* Purposes.

§ 128. For in the state of nature, to omit the liberty he has of innocent[1] delights, a man has two powers.

The first is to do whatsoever he thinks fit for the preservation of himself, and others within the permission of the law of nature: by which law, common to them all, he and all the rest of mankind are one community, make up one society, distinct from all other creatures. And were it not for the corruption and viciousness of degenerate men, there would be no need of any other; no necessity that men should separate from this great and natural community, and by positive agreements combine into smaller and divided associations.

The other power a man has in the state of nature, is the power to punish the crimes committed against that law. Both these he gives up, when he joins in a private, if I may so call it, or particular politic society, and incorporates into any commonwealth, separate from the rest of mankind.

§ 129. The first power, viz. of doing whatsoever he thought for the preservation of himself, and the rest of mankind, he gives up to be regulated by laws made by the society, so far forth as the preservation of himself, and the rest of that society shall require; which laws of the society in many things confine the liberty he had by the law of nature.

§ 130. Secondly, The power of punishing he wholly gives up, and engages his natural force, (which he might before employ in the execution of the law of nature, by his own single authority, as he thought fit) to assist the executive power of the society, as the law thereof shall require: for being now in a new state, wherein he is to enjoy many conveniences, from the labor, assistance, and society of others in the same community, as well as protection from its whole strength; he is to part also with as much of his natural liberty, in providing for himself, as the good, prosperity, and safety of the society shall require; which is not only necessary, but just, since the other members of the society do the like.

§ 131. But though men, when they enter into society, give up the equality, liberty, and executive power they had in the state of nature, into the hands of the society, to be so far disposed of by the legislative, as the good of the society shall require; yet it being only with an intention in everyone the better to preserve himself, his liberty and property; (for no rational creature can be supposed to change his condition with an intention to be worse) the power of the society, or legislative constituted by them, can never be supposed to extend farther, than the common good; but is obliged to secure everyone's property, by providing against those three defects above mentioned, that made the state of nature so unsafe and uneasy. And so whoever has the legislative or supreme power of any commonwealth, is bound to govern by established standing laws, promulgated and known to the people, and not by extemporary[2] decrees; by indifferent and upright judges, who are to decide controversies by those laws; and to employ the force of the community at home, only in the execution of such laws, or abroad to prevent or redress foreign injuries, and secure the community from inroads and invasion. And all this to be directed to no other end, but the peace, safety, and public good of the people.

Chapter 10: Of the Forms of a Commonwealth

§ 132. The majority having, as has been shown, upon men's first uniting into society, the whole power of the community naturally in them, may employ all that power in making laws for the community from time to time, and executing those laws by officers of their own appointing; and then the form of the government is a perfect democracy: or else may put the power of making laws into the hands of a few select men, and their heirs or successors; and then it is an oligarchy: or else into the hands of one man, and then it is a monarchy: if to him and his heirs, it is an hereditary monarchy: if to him only for life, but upon his death the power only of nominating a successor to return to them; an elective monarchy. And so accordingly of these the community may make compounded and mixed forms of government, as they think good. And if the legislative power be at first given by the majority to one or more persons only for their lives, or any limited time, and then the supreme power to revert to them again; when it is so reverted, the community may dispose of it again anew into what hands they please, and so constitute a new form of government: for the form of government depending upon the placing the supreme power, which is the legislative, it being impossible to conceive that an inferior power should prescribe to a superior, or any but the supreme make laws, according as the power of making laws is placed, such is the form of the commonwealth.

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[1] *innocent* Harmless in intention.

[2] *extemporary* Makeshift, without preparation.

§ 133. By "commonwealth," I must be understood all along to mean, not a democracy, or any form of government, but any independent community, which the Latins signified by the word *civitas*, to which the word which best answers in our language, is "commonwealth," and most properly expresses such a society of men, which "community" or "city" in English does not; for there may be subordinate communities in a government; and city among us has a quite different notion from commonwealth: and therefore, to avoid ambiguity, I crave leave to use the word commonwealth in that sense, in which I find it used by King James the First;[1] and I take it to be its genuine signification; which if anybody dislike, I consent with him to change it for a better.

Chapter 11: Of the Extent of the Legislative Power

§ 134. The great end of men's entering into society, being the enjoyment of their properties in peace and safety, and the great instrument and means of that being the laws established in that society; the first and fundamental positive law of all commonwealths is the establishing of the legislative power; as the first and fundamental natural law, which is to govern even the legislative itself, is the preservation of the society, and (as far as will consist with the public good) of every person in it. This legislative is not only the supreme power of the commonwealth, but sacred and unalterable in the hands where the community have once placed it; nor can any edict of anybody else, in whatever form conceived, or by whatever power backed, have the force and obligation of a law, which has not its sanction from that legislative[2] which the public has chosen and appointed: for without this the law could not have that, which is absolutely necessary to its being a law,[3] the consent of the society, over whom nobody can have a power to make laws, but by their own consent, and by authority received from them; and therefore all the obedience, which by the most solemn ties anyone can be obliged to pay, ultimately terminates in this supreme power, and is directed by those laws which it enacts: nor can any oaths to any foreign power whatsoever, or any domestic subordinate power, discharge any member of the society from his obedience to the legislative, acting pursuant to their trust; nor oblige him to any obedience contrary to the laws so enacted, or farther than they do allow; it being ridiculous to imagine one can be tied ultimately to obey any power in the society, which is not the supreme.

§ 135. Though the legislative, whether placed in one or more, whether it be always in being, or only by intervals, though it be the supreme power in every commonwealth; yet,

First, It is not, nor can possibly be absolutely arbitrary over the lives and fortunes of the people: for it being but the joint power of every member of the society given up to that person, or assembly, which is legislator; it can be no more than those persons had in a state of nature before they entered into society, and gave up to the community: for nobody can transfer to another more power than he has in himself; and nobody has an absolute arbitrary power over himself, or over any other, to destroy his own life, or take away the life or property of another. A man, as has been proved, cannot subject himself to the arbitrary power of another; and having in the state of nature no arbitrary power over the life, liberty, or possession of another, but only so much as the law of nature gave him for the preservation of himself, and the rest of mankind; this is all he does, or can give up to the commonwealth, and by it to the legislative power, so that the legislative can have no more than this. Their power, in the utmost bounds of it, is limited to the public good of the society.[1] It is a power, that has no other end but preservation, and therefore can never have a right to destroy, enslave, or designedly to impoverish the subjects. The obligations of the law of nature cease not in society, but only in many cases are drawn closer, and have by human laws known penalties annexed to them, to enforce their observation. Thus the law of nature stands as an eternal rule to all men, legislators as well as others. The rules that they make for other men's actions, must, as well as their own and other men's actions, be conformable to the law of nature, i.e., to the will of God, of which that is a declaration, and the fundamental law of nature being the preservation of mankind, no human sanction can be good, or valid against it.

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[1] *King James the First* James I (1566–1625) ruled England from 1603 to 1625. His writings strongly supported the theory of the divine right of kings.

[2] *legislative* Legislator.

[3] *for without this the law ... necessary to its being a law* [Locke's note] "The lawful power of making laws to command whole politic societies of men, belonging so properly unto the same entire societies, that for any prince or potentate of whatever kind upon earth, to exercise the same of himself, and not by express commission immediately and personally received from God, or else by authority derived at the first from their consent, upon whose persons they impose laws, it is no better than mere tyranny. Laws they are not therefore which public approbation has not made so" (Hooker, *Ecclesiastical Polity Lib.* 1. sect. 10). "Of this point therefore we are to note, that men naturally have no full and perfect power to command whole politic multitudes of men, therefore utterly without our consent, we could in such sort be at no man's commandment living. And to be commanded we do consent, when that society, whereof we be a part, hath at any time before consented, without revoking the same after by the like universal agreement. Laws therefore human, of what kind so ever, are available by consent" (*Ibid.*).

§ 136. Secondly, The legislative, or supreme authority, cannot assume to its self a power to rule by extemporary arbitrary decrees, but is bound to dispense justice, and decide the rights of the subject by promulgated standing laws,[2] and known authorized judges: for the law of nature being unwritten, and so no where to be found but in the minds of men, they who through passion or interest shall miscite,[3] or misapply it, cannot so easily be convinced of their mistake where there is no established judge: and so it serves not, as it ought, to determine the rights, and fence the properties of those that live under it, especially where everyone is judge, interpreter, and executioner of it too, and that in his own case: and he that has right on his side, having ordinarily but his own single strength, has not force enough to defend himself from injuries, or to punish delinquents. To avoid these inconveniencies, which disorder men's properties in the state of nature, men unite into societies, that they may have the united strength of the whole society to secure and defend their properties, and may have standing rules to bound it, by which everyone may know what is his. To this end it is that men give up all their natural power to the society which they enter into, and the community put the legislative power into such hands as they think fit, with this trust, that they shall be governed by declared laws, or else their peace, quiet, and property will still be at the same uncertainty, as it was in the state of nature.

§ 137. Absolute arbitrary power, or governing without settled standing laws, can neither of them consist with[4] the ends of society and government, which men would not quit the freedom of the state of nature for, and tie themselves up under, were it not to preserve their lives, liberties and fortunes, and by stated rules of right and property to secure their peace and quiet. It cannot be supposed that they should intend, had they a power so to do, to give to anyone, or more, an absolute arbitrary power over their persons and estates, and put a force into the magistrate's hand to execute his unlimited will arbitrarily upon them. This were to put themselves into a worse condition than the state of nature, wherein they had a liberty to defend their right against the injuries of others, and were upon equal terms of force to maintain it, whether invaded by a single man, or many in combination. Whereas by supposing they have given up themselves to the absolute arbitrary power and will of a legislator, they have disarmed themselves, and armed him, to make a prey of them when he pleases; he being in a much worse condition, who is exposed to the arbitrary power of one man, who has the command of 100,000, than he that is exposed to the arbitrary power of 100,000 single men;

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[1] *Their power ... public good of the society* [Locke's note] "Two foundations there are which bear up public societies; the one a natural inclination, whereby all men desire sociable life and fellowship; the other an order, expressly or secretly agreed upon, touching the manner of their union in living together: the latter is that which we call the law of a commonweal, the very soul of a politic body, the parts whereof are by law animated, held together, and set on work in such actions as the common good requires. Laws politic, ordained for external order and regiment among men, are never framed as they should be, unless presuming the will of man to be inwardly obstinate, rebellious, and averse from all obedience to the sacred laws of his nature; in a word, unless presuming man to be, in regard of his depraved mind, little better than a wild beast, they do accordingly provide, notwithstanding, so to frame his outward actions, that they be no hindrance unto the common good, for which societies are instituted. Unless they do this, they are not perfect" (Hooker, *Ecclesiastical Polity Lib.* 1. sect. 10).

[2] *The legislative ... promulgated standing laws* [Locke's note] "Human laws are measures in respect of men whose actions they must direct, howbeit such measures they are as have also their higher rules to be measured by, which rules are two, the law of God, and the law of nature; so that laws human must be made according to the general laws of nature, and without contradiction to any positive law of scripture, otherwise they are ill made" (Hooker, *Ecclesiastical Polity Lib.* 3. sect. 9). "To constrain men to any thing inconvenient does seem unreasonable" (Ibid. 1. sect. 10).

[3] *miscite* Cite erroneously.

[4] *can neither of them consist with* Cannot be consistent with.

nobody being secure, that his will, who has such a command, is better than that of other men, though his force be 100,000 times stronger. And therefore, whatever form the commonwealth is under, the ruling power ought to govern by declared and received laws, and not by extemporary dictates and undetermined[1] resolutions: for then mankind will be in a far worse condition than in the state of nature, if they shall have armed one, or a few men with the joint power of a multitude, to force them to obey at pleasure the exorbitant and unlimited decrees of their sudden thoughts, or unrestrained, and till that moment unknown wills, without having any measures set down which may guide and justify their actions: for all the power the government has, being only for the good of the society, as it ought not to be arbitrary and at pleasure, so it ought to be exercised by established and promulgated laws; that both the people may know their duty, and be safe and secure within the limits of the law; and the rulers too kept within their bounds, and not be tempted, by the power they have in their hands, to employ it to such purposes, and by such measures, as they would not have known, and own not willingly.

§ 138. Thirdly, The supreme power cannot take from any man any part of his property without his own consent: for the preservation of property being the end of government, and that for which men enter into society, it necessarily supposes and requires, that the people should have property, without which they must be supposed to lose that, by entering into society, which was the end for which they entered into it; too gross an absurdity for any man to own.[2] Men therefore in society having property, they have such a right to the goods, which by the law of the community are theirs, that nobody has a right to take their substance or any part of it from them, without their own consent: without this they have no property at all; for I have truly no property in that, which another can by right take from me, when he pleases, against my consent. Hence it is a mistake to think, that the supreme or legislative power of any commonwealth, can do what it will, and dispose of the estates of the subject arbitrarily, or take any part of them at pleasure. This is not much to be feared in governments where the legislative consists, wholly or in part, in assemblies which are variable, whose members, upon the dissolution of the assembly, are subjects under the common laws of their country, equally with the rest. But in governments, where the legislative is in one lasting assembly always in being, or in one man, as in absolute monarchies, there is danger still, that they will think themselves to have a distinct interest from the rest of the community; and so will be apt to increase their own riches and power, by taking what they think fit from the people: for a man's property is not at all secure, though there be good and equitable laws to set the bounds of it between him and his fellow subjects, if he who commands those subjects have power to take from any private man, what part he pleases of his property, and use and dispose of it as he thinks good.

§ 139. But government, into whatsoever hands it is put, being, as I have before shown, entrusted with this condition, and for this end, that men might have and secure their properties; the prince, or senate, however it may have power to make laws, for the regulating of property between the subjects one among another, yet can never have a power to take to themselves the whole, or any part of the subjects property, without their own consent: for this would be in effect to leave them no property at all. And to let us see, that even absolute power, where it is necessary, is not arbitrary by being absolute, but is still limited by that reason, and confined to those ends, which required it in some cases to be absolute, we need look no farther than the common practice of martial[3] discipline: for the preservation of the army, and in it of the whole commonwealth, requires an absolute obedience to the command of every superior officer, and it is justly death to disobey or dispute the most dangerous or unreasonable of them; but yet we see, that neither the sergeant, that could command a soldier to march up to the mouth of a cannon, or stand in a breach,[4] where he is almost sure to perish, can command that soldier to give him one penny of his money; nor the general, that can condemn him to death for deserting his post, or for not obeying the most desperate orders, can yet, with all his absolute power of life and death, dispose of one farthing[5] of that soldier's estate, or seize one jot[6] of his goods; whom yet he can command any thing, and hang for the least disobedience; because such a blind obedience is necessary to that end, for which the commander has his power, viz. the preservation of the rest; but the disposing of his goods has nothing to do with it.

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[1] *undetermined* Not settled or fixed.

[2] *own* Accept.

[3] *martial* Concerning soldiers.

[4] *breach* Gap in a fortification.

[5] *farthing* Smallest-valued British coin, worth a quarter of a penny—almost nothing.

[6] *jot* Tiny bit.

§ 140. It is true, governments cannot be supported without great charge,[1] and it is fit everyone who enjoys his share of the protection, should pay out of his estate his proportion for the maintenance of it. But still it must be with his own consent, i.e., the consent of the majority, giving it either by themselves, or their representatives chosen by them: for if anyone shall claim a power to lay and levy taxes on the people, by his own authority, and without such consent of the people, he thereby invades the fundamental law of property, and subverts the end of government: for what property have I in that, which another may by right take, when he pleases, to himself?

§ 141. Fourthly, The legislative cannot transfer the power of making laws to any other hands: for it being but a delegated power from the people, they who have it cannot pass it over to others. The people alone can appoint the form of the commonwealth, which is by constituting the legislative, and appointing in whose hands that shall be. And when the people have said, We will submit to rules, and be governed by laws made by such men, and in such forms, nobody else can say other men shall make laws for them; nor can the people be bound by any laws, but such as are enacted by those whom they have chosen, and authorized to make laws for them. The power of the legislative, being derived from the people by a positive voluntary grant and institution, can be no other than what that positive grant conveyed, which being only to make laws, and not to make legislators, the legislative can have no power to transfer their authority of making laws, and place it in other hands.

§ 142. These are the bounds which the trust, that is put in them by the society, and the law of God and nature, have set to the legislative power of every commonwealth, in all forms of government.

First, They are to govern by promulgated established laws, not to be varied in particular cases, but to have one rule for rich and poor, for the favorite at court, and the country man at plow.

Secondly, These laws also ought to be designed for no other end ultimately, but the good of the people.

Thirdly, They must not raise taxes on the property of the people, without the consent of the people, given by themselves, or their deputies. And this properly concerns only such governments where the legislative is always in being, or at least where the people have not reserved any part of the legislative to deputies, to be from time to time chosen by themselves.

Fourthly, The legislative neither must nor can transfer the power of making laws to anybody else, or place it anywhere, but where the people have placed it.

Chapter 12: Of the Legislative, Executive, and Federative Power of the Commonwealth

§ 143. The legislative power is that, which has a right to direct how the force of the commonwealth shall be employed for preserving the community and the members of it. But because those laws which are constantly to be executed, and whose force is always to continue, may be made in a little time; therefore there is no need, that the legislative should be always in being, not having always business to do. And because it may be too great a temptation to human frailty, apt to grasp at power, for the same persons, who have the power of making laws, to have also in their hands the power to execute them, whereby they may exempt themselves from obedience to the laws they make, and suit the law, both in its making, and execution, to their own private advantage, and thereby come to have a distinct interest from the rest of the community, contrary to the end of society and government: therefore in well ordered commonwealths, where the good of the whole is so considered, as it ought, the legislative power is put into the hands of divers[2] persons, who duly assembled, have by themselves, or jointly with others, a power to make laws, which when they have done, being separated again, they are themselves subject to the laws they have made; which is a new and near tie upon them, to take care, that they make them for the public good.

§ 144. But because the laws, that are at once, and in a short time made, have a constant and lasting force, and need a perpetual execution, or an attendance thereunto; therefore it is necessary there should be a power always in being, which should see to the execution of the laws that are made, and remain in force. And thus the legislative and executive power come often to be separated.

§ 145. There is another power in every commonwealth, which one may call natural, because it is that which answers to the power every man naturally had before he entered into society: for though in a commonwealth the members of it are distinct persons still in reference to one another, and as such are governed by the laws of the society; yet in reference to the rest of mankind, they make one body, which is, as every member of it before was, still in the state of nature with the rest of mankind. Hence it is, that the controversies that happen between any man of the society with those that are out of it, are managed by the public; and an injury done to a member of their body, engages the whole in the reparation of it. So that under this consideration, the whole community is one body in the state of nature, in respect of all other states or persons out of its community.

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[1] *charge* Expense.

[2] *divers* Several.

§ 146. This therefore contains the power of war and peace, leagues and alliances, and all the transactions, with all persons and communities without the commonwealth, and may be called federative, if anyone pleases. So[1] the thing be understood, I am indifferent as to the name.

§ 147. These two powers, executive and federative, though they be really distinct in themselves, yet one comprehending the execution of the municipal laws of the society within itself, upon all that are parts of it; the other the management of the security and interest of the public without, with all those that it may receive benefit or damage from, yet they are always almost united. And though this federative power in the well or ill management of it be of great moment[2] to the commonwealth, yet it is much less capable to be directed by antecedent, standing, positive laws, than the executive; and so must necessarily be left to the prudence and wisdom of those, whose hands it is in, to be managed for the public good: for the laws that concern subjects one among another, being to direct their actions, may well enough precede them. But what is to be done in reference to foreigners, depending much upon their actions, and the variation of designs and interests, must be left in great part to the prudence of those, who have this power committed to them, to be managed by the best of their skill, for the advantage of the commonwealth.

§ 148. Though, as I said, the executive and federative power of every community be really distinct in themselves, yet they are hardly to be separated, and placed at the same time, in the hands of distinct persons: for both of them requiring the force of the society for their exercise, it is almost impracticable[3] to place the force of the commonwealth in distinct, and not subordinate hands; or that the executive and federative power should be placed in persons, that might act separately, whereby the force of the public would be under different commands: which would be apt some time or other to cause disorder and ruin.

Chapter 13: Of the Subordination of the Powers of the Commonwealth

§ 149. Though in a constituted commonwealth, standing upon its own basis, and acting according to its own nature, that is, acting for the preservation of the community, there can be but one supreme power, which is the legislative, to which all the rest are and must be subordinate, yet the legislative being only a fiduciary power[4] to act for certain ends, there remains still in the people a supreme power to remove or alter the legislative, when they find the legislative act contrary to the trust reposed in them: for all power given with trust for the attaining an end, being limited by that end, whenever that end is manifestly neglected, or opposed, the trust must necessarily be forfeited, and the power devolve into the hands of those that gave it, who may place it anew where they shall think best for their safety and security. And thus the community perpetually retains a supreme power of saving themselves from the attempts[5] and designs of anybody, even of their legislators, whenever they shall be so foolish, or so wicked, as to lay and carry on designs against the liberties and properties of the subject: for no man or society of men, having a power to deliver up their preservation, or consequently the means of it, to the absolute will and arbitrary dominion of another; whenever anyone shall go about to bring them into such a slavish condition, they will always have a right to preserve, what they have not a power to part with; and to rid themselves of those, who invade this fundamental, sacred, and unalterable law of self-preservation, for which they entered into society. And thus the community may be said in this respect to be always the supreme power, but not as considered under any form of government, because this power of the people can never take place till the government be dissolved.

§ 150. In all cases, while the government subsists, the legislative is the supreme power: for what can give laws to another, must needs be superior to him; and since the legislative is no otherwise legislative of the society, but[6] by the right it has to make laws for all the parts, and for every member of the society, prescribing rules to their actions, and giving power of execution, where they are transgressed, the legislative must needs be the supreme, and all other powers, in any members or parts of the society, derived from and subordinate to it.

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[1] *So* As long as.

[2] *moment* Importance.

[3] *impracticable* Impossible.

[4] *fiduciary power* The power of a trustee—that is, the power to act on behalf of others.

[5] *attempts* Attacks.

[6] *no otherwise … but* In no other way … except.

§ 151. In some commonwealths, where the legislative is not always in being, and the executive is vested in a single person, who has also a share in the legislative; there that single person in a very tolerable sense may also be called supreme: not that he has in himself all the supreme power, which is that of lawmaking; but because he has in him the supreme execution, from whom all inferior magistrates derive all their several subordinate powers, or at least the greatest part of them: having also no legislative superior to him, there being no law to be made without his consent, which cannot be expected should ever subject him to the other part of the legislative, he is properly enough in this sense supreme. But yet it is to be observed, that though oaths of allegiance and fealty are taken to him, it is not to him as supreme legislator, but as supreme executor of the law, made by a joint power of him with others; allegiance being nothing but an obedience according to law, which when he violates, he has no right to obedience, nor can claim it otherwise than as the public person vested with the power of the law, and so is to be considered as the image, phantom, or representative of the commonwealth, acted by the will of the society, declared in its laws; and thus he has no will, no power, but that of the law. But when he quits this representation, this public will, and acts by his own private will, he degrades himself, and is but a single private person without power, and without will, that has any right to obedience; the members owing no obedience but to the public will of the society.

§ 152. The executive power, placed anywhere but in a person that has also a share in the legislative, is visibly subordinate and accountable to it, and may be at pleasure changed and displaced; so that it is not the supreme executive power, that is exempt from subordination, but the supreme executive power vested in one, who having a share in the legislative, has no distinct superior legislative to be subordinate and accountable to, farther than he himself shall join and consent; so that he is no more subordinate than he himself shall think fit, which one may certainly conclude will be but very little. Of other ministerial and subordinate powers in a commonwealth, we need not speak, they being so multiplied with infinite variety, in the different customs and constitutions of distinct commonwealths, that it is impossible to give a particular account of them all. Only thus much, which is necessary to our present purpose, we may take notice of concerning them, that they have no manner of authority, any of them, beyond what is by positive grant and commission delegated to them, and are all of them accountable to some other power in the commonwealth.

§ 153. It is not necessary, no, nor so much as convenient, that the legislative should be always in being; but absolutely necessary that the executive power should, because there is not always need of new laws to be made, but always need of execution of the laws that are made. When the legislative has put the execution of the laws, they make, into other hands, they have a power still to resume[1] it out of those hands, when they find cause, and to punish for any maladministration[2] against the laws. The same holds also in regard of the federative power, that and the executive being both ministerial and subordinate to the legislative, which, as has been shown, in a constituted commonwealth is the supreme. The legislative also in this case being supposed to consist of several persons, (for if it be a single person, it cannot but be always in being, and so will, as supreme, naturally have the supreme executive power, together with the legislative) may assemble, and exercise their legislature, at the times that either their original constitution, or their own adjournment, appoints, or when they please; if neither of these has appointed any time, or there be no other way prescribed to convoke[3] them: for the supreme power being placed in them by the people, it is always in them, and they may exercise it when they please, unless by their original constitution they are limited to certain seasons, or by an act of their supreme power they have adjourned to a certain time; and when that time comes, they have a right to assemble and act again.

§ 154. If the legislative, or any part of it, be made up of representatives chosen for that time by the people, which afterwards return into the ordinary state of subjects, and have no share in the legislature but upon a new choice, this power of choosing must also be exercised by the people, either at certain appointed seasons, or else when they are summoned to it; and in this latter case the power of convoking the legislative is ordinarily placed in the executive, and has one of these two limitations in respect of time: that either the original constitution requires their assembling and acting at certain intervals, and then the executive power does nothing but ministerially[4] issue directions for their electing and assembling, according to due forms; or else it is left to his prudence to call them by new elections, when the occasions or exigencies[1] of the public require the amendment of old, or making of new laws, or the redress or prevention of any inconveniencies, that lie on, or threaten the people.

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[1] *resume* Retake.

[2] *maladministration* Bad management.

[3] *convoke* Call together for a meeting.

[4] *ministerially* In a capacity as minister; administratively.

§ 155. It may be demanded here, What if the executive power, being possessed of the force of the commonwealth, shall make use of that force to hinder the meeting and acting of the legislative, when the original constitution, or the public exigencies require it? I say, using force upon the people without authority, and contrary to the trust put in him that does so, is a state of war with the people, who have a right to reinstate their legislative in the exercise of their power: for having erected a legislative, with an intent they should exercise the power of making laws, either at certain set times, or when there is need of it, when they are hindered by any force from what is so necessary to the society, and wherein the safety and preservation of the people consists, the people have a right to remove it by force. In all states and conditions, the true remedy of force without authority, is to oppose force to it. The use of force without authority, always puts him that uses it into a state of war, as the aggressor, and renders him liable to be treated accordingly.

§ 156. The power of assembling and dismissing the legislative, placed in the executive, gives not the executive a superiority over it, but is a fiduciary trust placed in him, for the safety of the people, in a case where the uncertainty and variableness of human affairs could not bear a steady fixed rule: for it not being possible, that the first framers of the government should, by any foresight, be so much masters of future events, as to be able to prefix so just periods of return and duration to the assemblies of the legislative, in all times to come, that might exactly answer all the exigencies of the commonwealth; the best remedy could be found for this defect, was to trust this to the prudence of one who was always to be present, and whose business it was to watch over the public good. Constant frequent meetings of the legislative, and long continuations of their assemblies, without necessary occasion, could not but be burdensome to the people, and must necessarily in time produce more dangerous inconveniencies, and yet the quick turn of affairs might be sometimes such as to need their present help: any delay of their convening might endanger the public; and sometimes too their business might be so great, that the limited time of their sitting might be too short for their work, and rob the public of that benefit which could be had only from their mature deliberation. What then could be done in this case to prevent the community from being exposed some time or other to eminent[2] hazard, on one side or the other, by fixed intervals and periods, set to the meeting and acting of the legislative, but to entrust it to the prudence of some, who being present, and acquainted with the state of public affairs, might make use of this prerogative for the public good? and where else could this be so well placed as in his hands, who was entrusted with the execution of the laws for the same end? Thus supposing the regulation of times for the assembling and sitting of the legislative, not settled by the original constitution, it naturally fell into the hands of the executive, not as an arbitrary power depending on his good pleasure, but with this trust always to have it exercised only for the public weal,[3] as the occurrences of times and change of affairs might require. Whether settled periods of their convening, or a liberty left to the prince for convoking the legislative, or perhaps a mixture of both, has the least inconvenience attending it, it is not my business here to inquire, but only to show, that though the executive power may have the prerogative of convoking and dissolving such conventions of the legislative, yet it is not thereby superior to it.

§ 157. Things of this world are in so constant a flux,[4] that nothing remains long in the same state. Thus people, riches, trade, power, change their stations, flourishing mighty cities come to ruin, and prove in times neglected desolate corners, while other unfrequented places grow into populous countries, filled with wealth and inhabitants. But things not always changing equally, and private interest often keeping up customs and privileges, when the reasons of them are ceased, it often comes to pass, that in governments, where part of the legislative consists of representatives chosen by the people, that in tract of time this representation becomes very unequal and disproportionate to the reasons it was at first established upon. To what gross absurdities the following of custom, when reason has left it, may lead, we may be satisfied, when we see the bare name of a town, of which there remains not so much as the ruins, where scarce so much housing as a sheepcote[5] or more inhabitants than a shepherd is to be found, sends as many representatives to the grand assembly of law-makers, as a whole county numerous in people, and powerful in riches. This strangers stand amazed at, and everyone must confess needs a remedy; though most think it hard to find one, because the constitution of the legislative being the original and supreme act of the society, antecedent to all positive laws in it, and depending wholly on the people, no inferior power can alter it. And therefore the people, when the legislative is once constituted, having, in such a government as we have been speaking of, no power to act as long as the government stands; this inconvenience is thought incapable of a remedy.

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[1] *exigencies* Urgent needs.

[2] *eminent* Noticeable.

[3] *weal* Well-being.

[4] *flux* State of change.

[5] *sheepcote* Small building for sheltering sheep.

§ 158. Salus populi suprema lex,[1] is certainly so just and fundamental a rule, that he, who sincerely follows it, cannot dangerously err. If therefore the executive, who has the power of convoking the legislative, observing rather the true proportion, than fashion[2] of representation, regulates, not by old custom, but true reason, the number of members, in all places that have a right to be distinctly represented, which no part of the people however incorporated[3] can pretend to, but in proportion to the assistance which it affords to the public, it cannot be judged to have set up a new legislative, but to have restored the old and true one, and to have rectified the disorders which succession of time had insensibly, as well as inevitably introduced: For it being the interest as well as intention of the people, to have a fair and equal representative; whoever brings it nearest to that, is an undoubted friend to, and establisher of the government, and cannot miss the consent and approbation of the community; prerogative being nothing but a power, in the hands of the prince, to provide for the public good, in such cases, which depending upon unforeseen and uncertain occurrences, certain and unalterable laws could not safely direct; whatsoever shall be done manifestly for the good of the people, and the establishing the government upon its true foundations, is, and always will be, just prerogative. The power of erecting new corporations,[4] and therewith new representatives, carries with it a supposition, that in time the measures of representation might vary, and those places have a just right to be represented which before had none; and by the same reason, those cease to have a right, and be too inconsiderable for such a privilege, which before had it. It is not a change from the present state, which perhaps corruption or decay has introduced, that makes an inroad upon the government, but the tendency of it to injure or oppress the people, and to set up one part or party, with a distinction from, and an unequal subjection of the rest. Whatsoever cannot but be acknowledged to be of advantage to the society, and people in general, upon just and lasting measures, will always, when done, justify itself; and whenever the people shall choose their representatives upon just and undeniably equal measures, suitable to the original frame of the government, it cannot be doubted to be the will and act of the society, whoever permitted or caused them so to do.

Chapter 14: Of Prerogative

§ 159. Where the legislative and executive power are in distinct hands, (as they are in all moderated[5] monarchies, and well-framed governments) there the good of the society requires, that several things should be left to the discretion of him that has the executive power: for the legislators not being able to foresee, and provide by laws, for all that may be useful to the community, the executor of the laws having the power in his hands, has by the common law of nature a right to make use of it for the good of the society, in many cases, where the municipal law has given no direction, till the legislative can conveniently be assembled to provide for it. Many things there are, which the law can by no means provide for; and those must necessarily be left to the discretion of him that has the executive power in his hands, to be ordered by him as the public good and advantage shall require: nay, it is fit that the laws themselves should in some cases give way to the executive power, or rather to this fundamental law of nature and government, viz. That as much as may be,[6] all the members of the society are to be preserved: for since many accidents may happen, wherein a strict and rigid observation of the laws may do harm; (as not to pull down an innocent man's house to stop the fire, when the next to it is burning) and a man may come sometimes within the reach of the law, which makes no distinction of persons, by an action that may deserve reward and pardon; it is fit the ruler should have a power, in many cases, to mitigate the severity of the law, and pardon some offenders: for the end of government being the preservation of all, as much as may be, even the guilty are to be spared, where it can prove no prejudice to the innocent.

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[1] *Salus populi suprema lex* Latin: the welfare of the people is the supreme law.

[2] *fashion* Appearances.

[3] *incorporated* United into one body.

[4] *corporations* Bodies of people united to act as collective entities.

[5] *moderated* Not excessive, reasonable.

[6] *as much as may be* To the extent possible.

§ 160. This power to act according to discretion, for the public good, without the prescription of the law, and sometimes even against it, is that which is called prerogative: for since in some governments the lawmaking power is not always in being, and is usually too numerous, and so too slow, for the dispatch requisite to execution; and because also it is impossible to foresee, and so by laws to provide for, all accidents and necessities that may concern the public, or to make such laws as will do no harm, if they are executed with an inflexible rigor, on all occasions, and upon all persons that may come in their way; therefore there is a latitude left to the executive power, to do many things of choice which the laws do not prescribe.

§ 161. This power, while employed for the benefit of the community, and suitably to the trust and ends of the government, is undoubted prerogative, and never is questioned: for the people are very seldom or never scrupulous or nice[1] in the point; they are far from examining prerogative, while it is in any tolerable degree employed for the use it was meant, that is, for the good of the people, and not manifestly against it: but if there comes to be a question between the executive power and the people, about a thing claimed as a prerogative; the tendency of the exercise of such prerogative to the good or hurt of the people, will easily decide that question.

§ 162. It is easy to conceive, that in the infancy of governments, when commonwealths differed little from families in number of people, they differed from them too but little in number of laws: and the governors, being as the fathers of them, watching over them for their good, the government was almost all prerogative. A few established laws served the turn, and the discretion and care of the ruler supplied the rest. But when mistake or flattery prevailed with weak princes to make use of this power for private ends of their own, and not for the public good, the people were fain[2] by express laws to get prerogative determined in those points wherein they found disadvantage from it: and thus declared limitations of prerogative were by the people found necessary in cases which they and their ancestors had left, in the utmost latitude, to the wisdom of those princes who made no other but a right use of it, that is, for the good of their people.

§ 163. And therefore they have a very wrong notion of government, who say, that the people have encroached upon the prerogative, when they have got any part of it to be defined by positive laws: for in so doing they have not pulled from the prince any thing that of right belonged to him, but only declared, that that power which they indefinitely left in his or his ancestors' hands, to be exercised for their good, was not a thing which they intended him when he used it otherwise: for the end of government being the good of the community, whatsoever alterations are made in it, tending to that end, cannot be an encroachment upon anybody, since nobody in government can have a right tending to any other end: and those only are encroachments which prejudice or hinder the public good. Those who say otherwise, speak as if the prince had a distinct and separate interest from the good of the community, and was not made for it; the root and source from which spring almost all those evils and disorders which happen in kingly governments. And indeed, if that be so, the people under his government are not a society of rational creatures, entered into a community for their mutual good; they are not such as have set rulers over themselves, to guard, and promote that good; but are to be looked on as an herd of inferior creatures under the dominion of a master, who keeps them and works them for his own pleasure or profit. If men were so void of reason, and brutish, as to enter into society upon such terms, prerogative might indeed be, what some men would have it, an arbitrary power to do things hurtful to the people.

§ 164. But since a rational creature cannot be supposed, when free, to put himself into subjection to another, for his own harm; (though, where he finds a good and wise ruler, he may not perhaps think it either necessary or useful to set precise bounds to his power in all things) prerogative can be nothing but the people's permitting their rulers to do several things, of their own free choice, where the law was silent, and sometimes too against the direct letter of the law, for the public good; and their acquiescing in it when so done: for as a good prince, who is mindful of the trust put into his hands, and careful of the good of his people, cannot have too much prerogative, that is, power to do good; so a weak and ill prince, who would claim that power which his predecessors exercised without the direction of the law, as a prerogative belonging to him by right of his office, which he may exercise at his pleasure, to make or promote an interest distinct from that of the public, gives the people an occasion to claim their right, and limit that power, which, while it was exercised for their good, they were content should be tacitly allowed.

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[1] *nice* Making subtle discriminations.

[2] *fain* Glad under the circumstances.

§ 165. And therefore he that will look into the history of England, will find, that prerogative was always largest in the hands of our wisest and best princes; because the people, observing the whole tendency of their actions to be the public good, contested not what was done without law to that end: or, if any human frailty or mistake (for princes are but men, made as others) appeared in some small declinations[1] from that end; yet it was visible, the main of their conduct tended to nothing but the care of the public. The people therefore, finding reason to be satisfied with these princes, whenever they acted without, or contrary to the letter of the law, acquiesced in what they did, and, without the least complaint, let them enlarge their prerogative as they pleased, judging rightly, that they did nothing herein to the prejudice of their laws, since they acted conformable to the foundation and end of all laws, the public good.

§ 166. Such godlike princes indeed had some title to arbitrary power by that argument, that would prove absolute monarchy the best government, as that which God himself governs the universe by; because such kings partake of his wisdom and goodness. Upon this is founded that saying, That the reigns of good princes have been always most dangerous to the liberties of their people: for when their successors, managing the government with different thoughts, would draw the actions of those good rulers into precedent, and make them the standard of their prerogative, as if what had been done only for the good of the people was a right in them to do, for the harm of the people, if they so pleased; it has often occasioned contest,[2] and sometimes public disorders, before the people could recover their original right, and get that to be declared not to be prerogative, which truly was never so; since it is impossible that anybody in the society should ever have a right to do the people harm; though it be very possible, and reasonable, that the people should not go about to set any bounds to the prerogative of those kings, or rulers, who themselves transgressed not the bounds of the public good: for prerogative is nothing but the power of doing public good without a rule.

§ 167. The power of calling parliaments in England, as to precise time, place, and duration, is certainly a prerogative of the king, but still with this trust, that it shall be made use of for the good of the nation, as the exigencies of the times, and variety of occasions, shall require: for it being impossible to foresee which should always be the fittest place for them to assemble in, and what the best season; the choice of these was left with the executive power, as might be most subservient to the public good, and best suit the ends of parliaments.

§ 168. The old question will be asked in this matter of prerogative, But who shall be judge when this power is made a right use of? I answer: between an executive power in being,[3] with such a prerogative, and a legislative that depends upon his will for their convening, there can be no judge on earth; as there can be none between the legislative and the people, should either the executive, or the legislative, when they have got the power in their hands, design, or go about to enslave or destroy them. The people have no other remedy in this, as in all other cases where they have no judge on earth, but to appeal to heaven: for the rulers, in such attempts, exercising a power the people never put into their hands, (who can never be supposed to consent that anybody should rule over them for their harm) do that which they have not a right to do. And where the body of the people, or any single man, is deprived of their right, or is under the exercise of a power without right, and have no appeal on earth, then they have a liberty to appeal to heaven, whenever they judge the cause of sufficient moment. And therefore, though the people cannot be judge, so as to have, by the constitution of that society, any superior power, to determine and give effective sentence in the case; yet they have, by a law antecedent and paramount to all positive laws of men, reserved that ultimate determination to themselves which belongs to all mankind, where there lies no appeal on earth, viz. to judge, whether they have just cause to make their appeal to heaven. And this judgment they cannot part with, it being out of a man's power so to submit himself to another, as to give him a liberty to destroy him; God and nature never allowing a man so to abandon himself, as to neglect his own preservation: and since he cannot take away his own life, neither can he give another power to take it. Nor let anyone think, this lays a perpetual foundation for disorder; for this operates not, till the inconveniency is so great, that the majority feel it, and are weary of it, and find a necessity to have it amended. But this the executive power, or wise princes, never need come in the danger of: and it is the thing, of all others, they have most need to avoid, as of all others the most perilous.

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[1] *declinations* Deviations.

[2] *contest* Struggle for control.

[3] *in being* In existence.

Chapter 15: Of Paternal, Political, and Despotical Power, considered together

§ 169. Though I have had occasion to speak of these separately before, yet the great mistakes of late about government, having, as I suppose, arisen from confounding these distinct powers one with another, it may not, perhaps, be amiss to consider them here together.

§ 170. First, then, Paternal or parental power is nothing but that which parents have over their children, to govern them for the children's good, till they come to the use of reason, or a state of knowledge, wherein they may be supposed capable to understand that rule, whether it be the law of nature, or the municipal law of their country, they are to govern themselves by: capable, I say, to know it, as well as several others, who live as freemen under that law. The affection and tenderness which God has planted in the breast of parents towards their children, makes it evident, that this is not intended to be a severe arbitrary government, but only for the help, instruction, and preservation of their offspring. But happen it as it will,[1] there is, as I have proved, no reason why it should be thought to extend to life and death, at any time, over their children, more than over anybody else; neither can there be any pretense[2] why this parental power should keep the child, when grown to a man, in subjection to the will of his parents, any farther than having received life and education from his parents, obliges him to respect, honor, gratitude, assistance and support, all his life, to both father and mother. And thus, it is true, the paternal is a natural government, but not at all extending itself to the ends and jurisdictions of that which is political. The power of the father does not reach at all to the property of the child, which is only in his own disposing.

§ 171. Secondly, Political power is that power, which every man having in the state of nature, has given up into the hands of the society, and therein to the governors, whom the society has set over itself, with this express or tacit trust, that it shall be employed for their good, and the preservation of their property: now this power, which every man has in the state of nature, and which he parts with to the society in all such cases where the society can secure him, is to use such means, for the preserving of his own property, as he thinks good, and nature allows him; and to punish the breach of the law of nature in others, so as (according to the best of his reason) may most conduce[3] to the preservation of himself, and the rest of mankind. So that the end and measure of this power, when in every man's hands in the state of nature, being the preservation of all of his society, that is, all mankind in general, it can have no other end or measure, when in the hands of the magistrate, but to preserve the members of that society in their lives, liberties, and possessions; and so cannot be an absolute, arbitrary power over their lives and fortunes, which are as much as possible to be preserved; but a power to make laws, and annex such penalties to them, as may tend to the preservation of the whole, by cutting off those parts, and those only, which are so corrupt, that they threaten the sound and healthy, without which no severity is lawful. And this power has its original only from compact and agreement, and the mutual consent of those who make up the community.

§ 172. Thirdly, Despotical power is an absolute, arbitrary power one man has over another, to take away his life, whenever he pleases. This is a power, which neither nature gives, for it has made no such distinction betwixt one man and another; nor compact can convey: for man not having such an arbitrary power over his own life, cannot give another man such a power over it; but it is the effect only of forfeiture, which the aggressor makes of his own life, when he puts himself into the state of war with another: for having quitted reason,[4] which God has given to be the rule between man and man, and the common bond whereby human kind is united into one fellowship and society; and having renounced the way of peace which that teaches, and made use of the force of war, to compass his unjust ends upon another, where he has no right; and so revolting from his own kind to that of beasts, by making force, which is theirs, to be his rule of right, he renders himself liable to be destroyed by the injured person, and the rest of mankind, that will join with him in the execution of justice, as any other wild beast, or noxious brute, with whom mankind can have neither society nor security.[5] And thus captives, taken in a just and lawful war, and such only, are subject to a despotical power, which, as it arises not from compact, so neither is it capable of any, but is the state of war continued: for what compact can be made with a man that is not master of his own life? what condition can he perform? and if he be once allowed to be master of his own life, the despotical, arbitrary power of his master ceases. He that is master of himself, and his own life, has a right too to the means of preserving it; so that as soon as compact enters, slavery ceases, and he so far quits his absolute power, and puts an end to the state of war, who enters into conditions with his captive.

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[1] *happen it as it will* That is, however individual families manage this.

[2] *pretense* Unwarranted claim.

[3] *conduce* Contribute.

[4] *quitted reason* Stopped being rational.

[5] *and so revolting ... society nor security* [note in original publication] Another copy corrected by Mr. Locke, has it thus, "Noxious brute that is destructive to their being."

§ 173. Nature gives the first of these, viz. paternal power to parents for the benefit of their children during their minority, to supply their want of ability, and understanding how to manage their property. (By property I must be understood here, as in other places, to mean that property which men have in their persons as well as goods.) Voluntary agreement gives the second, viz. political power to governors for the benefit of their subjects, to secure them in the possession and use of their properties. And forfeiture gives the third despotical power to lords for their own benefit, over those who are stripped of all property.

§ 174. He, that shall consider the distinct rise and extent, and the different ends of these several powers, will plainly see, that paternal power comes as far short of that of the magistrate, as despotical exceeds it; and that absolute dominion, however placed, is so far from being one kind of civil society, that it is as inconsistent with it, as slavery is with property. Paternal power is only where minority makes the child incapable to manage his property; political, where men have property in their own disposal; and despotical, over such as have no property at all.

Chapter 16: Of Conquest

§ 175. Though governments can originally have no other rise than that before mentioned, nor polities be founded on any thing but the consent of the people; yet such have been the disorders ambition has filled the world with, that in the noise of war, which makes so great a part of the history of mankind, this consent is little taken notice of: and therefore many have mistaken the force of arms for the consent of the people, and reckon conquest as one of the originals of government. But conquest is as far from setting up any government, as demolishing an house is from building a new one in the place. Indeed, it often makes way for a new frame of a commonwealth, by destroying the former; but, without the consent of the people, can never erect a new one.

§ 176. That the aggressor, who puts himself into the state of war with another, and unjustly invades another man's right, can, by such an unjust war, never come to have a right over the conquered, will be easily agreed by all men, who will not think, that robbers and pirates have a right of empire over whomsoever they have force enough to master; or that men are bound by promises, which unlawful force extorts from them. Should a robber break into my house, and with a dagger at my throat make me seal deeds to convey my estate to him, would this give him any title? Just such a title, by his sword, has an unjust conqueror, who forces me into submission. The injury and the crime is equal, whether committed by the wearer of a crown, or some petty villain. The title of the offender, and the number of his followers, make no difference in the offence, unless it be to aggravate it. The only difference is, great robbers punish little ones, to keep them in their obedience; but the great ones are rewarded with laurels[1] and triumphs,[2] because they are too big for the weak hands of justice in this world, and have the power in their own possession, which should punish offenders. What is my remedy against a robber, that so broke into my house? Appeal to the law for justice. But perhaps justice is denied, or I am crippled and cannot stir, robbed and have not the means to do it. If God has taken away all means of seeking remedy, there is nothing left but patience.[3] But my son, when able, may seek the relief of the law, which I am denied: he or his son may renew his appeal, till he recover his right. But the conquered, or their children, have no court, no arbitrator on earth to appeal to. Then they may appeal, as Jephtha did, to heaven, and repeat their appeal till they have recovered the native right of their ancestors, which was, to have such a legislative over them, as the majority should approve, and freely acquiesce in. If it be objected, This would cause endless trouble; I answer, no more than justice does, where she lies open to all that appeal to her. He that troubles his neighbor without a cause, is punished for it by the justice of the court he appeals to: and he that appeals to heaven must be sure he has right on his side; and a right too that is worth the trouble and cost of the appeal, as he will answer at a tribunal that cannot be deceived, and will be sure to retribute to everyone according to the mischiefs he has created to his fellow subjects; that is, any part of mankind: from whence it is plain, that he that conquers in an unjust war can thereby have no title to the subjection and obedience of the conquered.

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[1] *laurels* Wreath of leaves, ancient symbol of victory.

[2] *triumphs* Ancient Roman victory parade.

[3] *patience* Calm endurance.

§ 177. But supposing victory favors the right side, let us consider a conqueror in a lawful war, and see what power he gets, and over whom.

First, It is plain he gets no power by his conquest over those that conquered with him. They that fought on his side cannot suffer by the conquest, but must at least be as much freemen as they were before. And most commonly they serve upon terms,[1] and on condition to share with their leader, and enjoy a part of the spoil, and other advantages that attend the conquering sword; or at least have a part of the subdued country bestowed upon them. And the conquering people are not, I hope, to be slaves by conquest, and wear their laurels only to show they are sacrifices to their leaders' triumph. They that found absolute monarchy upon the title of the sword, make their heroes, who are the founders of such monarchies, arrant Draw-can-sirs,[2] and forget they had any officers and soldiers that fought on their side in the battles they won, or assisted them in the subduing, or shared in possessing, the countries they mastered. We are told by some, that the English monarchy is founded in the Norman conquest, and that our princes have thereby a title to absolute dominion: which if it were true, (as by the history it appears otherwise) and that William[3] had a right to make war on this island; yet his dominion by conquest could reach no farther than to the Saxons and Britons, that were then inhabitants of this country. The Normans that came with him, and helped to conquer, and all descended from them, are freemen, and no subjects by conquest; let that give what dominion it will. And if I, or anybody else, shall claim freedom, as derived from them, it will be very hard to prove the contrary: and it is plain, the law, that has made no distinction between the one and the other, intends not there should be any difference in their freedom or privileges.

§ 178. But supposing, which seldom happens, that the conquerors and conquered never incorporate into one people, under the same laws and freedom; let us see next what power a lawful conqueror has over the subdued: and that I say is purely despotical. He has an absolute power over the lives of those who by an unjust war have forfeited them; but not over the lives or fortunes of those who engaged not in the war, nor over the possessions even of those who were actually engaged in it.

§ 179. Secondly, I say then the conqueror gets no power but only over those who have actually assisted, concurred, or consented to that unjust force that is used against him: for the people having given to their governors no power to do an unjust thing, such as is to make an unjust war, (for they never had such a power in themselves) they ought not to be charged as guilty of the violence and injustice that is committed in an unjust war, any farther than they actually abet it;[4] no more than they are to be thought guilty of any violence or oppression their governors should use upon the people themselves, or any part of their fellow subjects, they having empowered them no more to the one than to the other. Conquerors, it is true, seldom trouble themselves to make the distinction, but they willingly permit the confusion of war to sweep all together: but yet this alters not the right; for the conquerors power over the lives of the conquered, being only because they have used force to do, or maintain an injustice, he can have that power only over those who have concurred in that force; all the rest are innocent; and he has no more title over the people of that country, who have done him no injury, and so have made no forfeiture of their lives, than he has over any other, who, without any injuries or provocations, have lived upon fair terms with him.

§ 180. Thirdly, The power a conqueror gets over those he overcomes in a just war, is perfectly despotical: he has an absolute power over the lives of those, who, by putting themselves in a state of war, have forfeited them; but he has not thereby a right and title to their possessions. This I doubt not, but at first sight will seem a strange doctrine, it being so quite contrary to the practice of the world; there being nothing more familiar in speaking of the dominion of countries, than to say such an one conquered it; as if conquest, without any more ado, conveyed a right of possession. But when we consider, that the practice of the strong and powerful, however universal it may be, is seldom the rule of right, however it be one part of the subjection of the conquered, not to argue against the conditions cut out to them by the conquering sword.

§ 181. Though in all war there be usually a complication[5] of force and damage, and the aggressor seldom fails to harm the estate, when he uses force against the persons of those he makes war upon; yet it is the use of force only that puts a man into the state of war: for whether by force he begins the injury, or else having quietly, and by fraud, done the injury, he refuses to make reparation, and by force maintains it, (which is the same thing, as at first to have done it by force) it is the unjust use of force that makes the war: for he that breaks open my house, and violently turns me out of doors; or having peaceably got in, by force keeps me out, does in effect the same thing; supposing we are in such a state, that we have no common judge on earth, whom I may appeal to, and to whom we are both obliged to submit: for of such I am now speaking. It is the unjust use of force then, that puts a man into the state of war with another; and thereby he that is guilty of it makes a forfeiture of his life: for quitting reason, which is the rule given between man and man, and using force, the way of beasts, he becomes liable to be destroyed by him he uses force against, as any savage ravenous beast, that is dangerous to his being.

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[1] *upon terms* By agreement.

[2] *Draw-can-sirs* Drawcansir is a blustering braggart and bully in a 1672 play by George Villiers called *The Rehearsal*.

[3] *William* William the Conqueror, the first Norman king of England, who reigned from 1066 until his death in 1087.

[4] *abet it* Help them do it.

[5] *complication* Tangled combination.

§ 182. But because the miscarriages of the father are no faults of the children, and they may be rational and peaceable, notwithstanding the brutishness and injustice of the father; the father, by his miscarriages and violence, can forfeit but his own life, but involves not his children in his guilt or destruction. His goods, which nature, that wills the preservation of all mankind as much as is possible, has made to belong to the children to keep them from perishing, do still continue to belong to his children: for supposing them not to have joined in the war, either through infancy, absence, or choice, they have done nothing to forfeit them: nor has the conqueror any right to take them away, by the bare title of having subdued him that by force attempted his destruction; though perhaps he may have some right to them, to repair the damages he has sustained by the war, and the defense of his own right; which how far it reaches to the possessions of the conquered, we shall see by and by. So that he that by conquest has a right over a man's person to destroy him if he pleases, has not thereby a right over his estate to possess and enjoy it: for it is the brutal force the aggressor has used, that gives his adversary a right to take away his life, and destroy him if he pleases, as a noxious creature; but it is damage sustained that alone gives him title to another man's goods: for though I may kill a thief that sets on me in the highway, yet I may not (which seems less) take away his money, and let him go: this would be robbery on my side. His force, and the state of war he put himself in, made him forfeit his life, but gave me no title to his goods. The right then of conquest extends only to the lives of those who joined in the war, not to their estates, but only in order to make reparation for the damages received, and the charges of the war, and that too with reservation of the right of the innocent wife and children.

§ 183. Let the conqueror have as much justice on his side, as could be supposed, he has no right to seize more than the vanquished could forfeit: his life is at the victor's mercy; and his service and goods he may appropriate, to make himself reparation; but he cannot take the goods of his wife and children; they too had a title to the goods he enjoyed, and their shares in the estate he possessed: for example, I in the state of nature (and all commonwealths are in the state of nature one with another) have injured another man, and refusing to give satisfaction, it comes to a state of war, wherein my defending by force what I had gotten unjustly, makes me the aggressor. I am conquered: my life, it is true, as forfeit, is at mercy, but not my wife's and children's. They made not the war, nor assisted in it. I could not forfeit their lives; they were not mine to forfeit. My wife had a share in my estate; that neither could I forfeit. And my children also, being born of me, had a right to be maintained out of my labor or substance.[1] Here then is the case: the conqueror has a title[2] to reparation for damages received, and the children have a title to their father's estate for their subsistence: for as to the wife's share, whether her own labor, or compact, gave her a title to it, it is plain, her husband could not forfeit what was hers. What must be done in the case? I answer; the fundamental law of nature being, that all, as much as may be, should be preserved, it follows, that if there be not enough fully to satisfy both, viz., for the conqueror's losses, and children's maintenance, he that has, and to spare, must remit something of his full satisfaction, and give way to the pressing and preferable title of those who are in danger to perish without it.

§ 184. But supposing the charge and damages of the war are to be made up to the conqueror, to the utmost farthing; and that the children of the vanquished, spoiled of all their father's goods, are to be left to starve and perish; yet the satisfying of what shall, on this score, be due to the conqueror, will scarce give him a title to any country he shall conquer: for the damages of war can scarce amount to the value of any considerable tract of land, in any part of the world, where all the land is possessed, and none lies waste. And if I have not taken away the conqueror's land, which, being vanquished, it is impossible I should; scarce any other spoil I have done him[1] can amount to the value of mine, supposing it equally cultivated, and of an extent any way coming near what I had overrun of his. The destruction of a year's product or two (for it seldom reaches four or five) is the utmost spoil that usually can be done: for as to money, and such riches and treasure taken away, these are none of nature's goods, they have but a fantastical[2] imaginary value: nature has put no such upon them: they are of no more account by her standard, than the wampompeke[3] of the Americans to an European prince, or the silver money of Europe would have been formerly to an American. And five years product is not worth the perpetual inheritance of land, where all is possessed, and none remains waste, to be taken up by him that is deceased: which will be easily granted, if one do but take away the imaginary value of money, the disproportion being more than between five and five hundred; though, at the same time, half a year's product is more worth than the inheritance, where there being more land than the inhabitants possess and make use of, anyone has liberty to make use of the waste: but there conquerors take little care to possess themselves of the lands of the vanquished. No damage therefore, that men in the state of nature (as all princes and governments are in reference to one another) suffer from one another, can give a conqueror power to dispossess the posterity of the vanquished, and turn them out of that inheritance, which ought to be the possession of them and their descendants to all generations. The conqueror indeed will be apt to think himself master: and it is the very condition of the subdued not to be able to dispute their right. But if that be all, it gives no other title than what bare force gives to the stronger over the weaker: and, by this reason, he that is strongest will have a right to whatever he pleases to seize on.

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[1] *substance* Possessions.

[2] *title* Right.

§ 185. Over those then that joined with him in the war, and over those of the subdued country that opposed him not, and the posterity even of those that did, the conqueror, even in a just war, has, by his conquest, no right of dominion: they are free from any subjection to him, and if their former government be dissolved, they are at liberty to begin and erect another to themselves.

§ 186. The conqueror, it is true, usually, by the force he has over them, compels them, with a sword at their breasts, to stoop to his conditions, and submit to such a government as he pleases to afford them; but the enquiry is, what right he has to do so? If it be said, they submit by their own consent, then this allows their own consent to be necessary to give the conqueror a title to rule over them. It remains only to be considered, whether promises extorted by force, without right, can be thought consent, and how far they bind. To which I shall say, they bind not at all; because whatsoever another gets from me by force, I still retain the right of, and he is obliged presently to restore. He that forces my horse from me, ought presently to restore him, and I have still a right to retake him. By the same reason, he that forced a promise from me, ought presently to restore it, i.e., quit me of the obligation of it; or I may resume it myself, i.e., choose whether I will perform it: for the law of nature laying an obligation on me only by the rules she[4] prescribes, cannot oblige me by the violation of her rules: such is the extorting any thing from me by force. Nor does it at all alter the case to say, I gave my promise, no more than it excuses the force, and passes the right, when I put my hand in my pocket, and deliver my purse myself to a thief, who demands it with a pistol at my breast.

§ 187. From all which it follows, that the government of a conqueror, imposed by force on the subdued, against whom he had no right of war, or who joined not in the war against him, where he had right, has no obligation upon them.

§ 188. But let us suppose, that all the men of that community, being all members of the same body politic, may be taken to have joined in that unjust war wherein they are subdued, and so their lives are at the mercy of the conqueror.

§ 189. I say, this concerns not their children who are in their minority: for since a father has not, in himself, a power over the life or liberty of his child, no act of his can possibly forfeit it. So that the children, whatever may have happened to the fathers, are freemen, and the absolute power of the conqueror reaches no farther than the persons of the men that were subdued by him, and dies with them: and should he govern them as slaves, subjected to his absolute arbitrary power, he has no such right of dominion over their children. He can have no power over them but by their own consent, whatever he may drive them to say or do; and he has no lawful authority, while force, and not choice, compels them to submission.

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[1] *spoil I have done him* Property of his I have destroyed or taken.

[2] *fantastical* In fantasy—unreal.

[3] *wampompeke* "Wampum"—money of the North American aboriginal peoples.

[4] *she* Nature.

§ 190. Every man is born with a double right: first, a right of freedom to his person, which no other man has a power over, but the free disposal of it lies in himself. Secondly, a right, before any other man, to inherit with his brethren his father's goods.

§ 191. By the first of these, a man is naturally free from subjection to any government, though he be born in a place under its jurisdiction; but if he disclaim the lawful government of the country he was born in, he must also quit the right that belonged to him by the laws of it, and the possessions there descending to him from his ancestors, if it were a government made by their consent.

§ 192. By the second, the inhabitants of any country, who are descended, and derive a title to their estates from those who are subdued, and had a government forced upon them against their free consents, retain a right to the possession of their ancestors, though they consent not freely to the government, whose hard conditions were by force imposed on the possessors of that country: for the first conqueror never having had a title to the land of that country, the people who are the descendants of, or claim under those who were forced to submit to the yoke of a government by constraint, have always a right to shake it off, and free themselves from the usurpation or tyranny which the sword has brought in upon them, till their rulers put them under such a frame of government as they willingly and of choice consent to. Who doubts but the Grecian Christians, descendants of the ancient possessors of that country, may justly cast off the Turkish yoke,[1] which they have so long groaned under, whenever they have an opportunity to do it? For no government can have a right to obedience from a people who have not freely consented to it; which they can never be supposed to do, till either they are put in a full state of liberty to choose their government and governors, or at least till they have such standing laws, to which they have by themselves or their representatives given their free consent, and also till they are allowed their due property, which is so to be proprietors of what they have, that nobody can take away any part of it without their own consent, without which, men under any government are not in the state of freemen, but are direct slaves under the force of war.

§ 193. But granting that the conqueror in a just war has a right to the estates, as well as power over the persons, of the conquered; which, it is plain, he has not:[2] nothing of absolute power will follow from hence, in the continuance of the government; because the descendants of these being all freemen, if he grants them estates and possessions to inhabit his country, (without which it would be worth nothing) whatsoever he grants them, they have, so far as it is granted, property in. The nature whereof is, that without a man's own consent it cannot be taken from him.

§ 194. Their persons are free by a native[3] right, and their properties, be they more or less, are their own, and at their own dispose,[4] and not at his; or else it is no property. Supposing the conqueror gives to one man a thousand acres, to him and his heirs forever; to another he lets[5] a thousand acres for his life, under the rent of 50 pounds or 500 pounds per annum, has not the one of these a right to his thousand acres forever, and the other, during his life, paying the said rent? and has not the tenant for life a property in all that he gets over and above his rent, by his labor and industry during the said term, supposing it be double the rent? Can anyone say, the king, or conqueror, after his grant, may by his power of conqueror take away all, or part of the land from the heirs of one, or from the other during his life, he paying the rent? or can he take away from either the goods or money they have got upon the said land, at his pleasure? If he can, then all free and voluntary contracts cease, and are void in the world; there needs nothing to dissolve them at any time, but power enough: and all the grants and promises of men in power are but mockery and collusion:[6] for can there be any thing more ridiculous than to say, I give you and yours this forever, and that in the surest and most solemn way of conveyance can be devised; and yet it is to be understood, that I have right, if I please, to take it away from you again tomorrow?

§ 195. I will not dispute now whether princes are exempt from the laws of their country; but this I am sure, they owe subjection to the laws of God and nature. Nobody, no power, can exempt them from the obligations of that eternal law. Those are so great, and so strong, in the case of promises, that omnipotency[1] itself can be tied by them. Grants, promises, and oaths, are bonds that hold the Almighty: whatever some flatterers say to princes of the world, who all together, with all their people joined to them, are, in comparison of the great God, but as a drop of the bucket, or a dust on the balance, inconsiderable, nothing!

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[1] *Grecian Christians ... Turkish yoke* Christian Greece was ruled by the Ottoman Empire (i.e., by Turkish Muslims) since the 15th century, and until 1821.

[2] *But granting ... he has not* Locke means here: Even supposing that the conquerer ... had a right ... —which he plainly does not.

[3] *native* Inborn, natural.

[4] *at their own dispose* To be dealt with by their own choice.

[5] *lets* Rents.

[6] *collusion* Secret fraudulent agreement.

§ 196. The short of the case in conquest is this: the conqueror, if he have a just cause, has a despotical right over the persons of all, that actually aided, and concurred in the war against him, and a right to make up his damage and cost out of their labor and estates, so he injure not the right of any other. Over the rest of the people, if there were any that consented not to the war, and over the children of the captives themselves, or the possessions of either, he has no power; and so can have, by virtue of conquest, no lawful title himself to dominion over them, or derive it to his posterity; but is an aggressor, if he attempts upon their properties, and thereby puts himself in a state of war against them, and has no better a right of principality, he, nor any of his successors, than Hingar, or Hubba, the Danes, had here in England;[2] or Spartacus,[3] had he conquered Italy, would have had; which is to have their yoke cast off, as soon as God shall give those under their subjection courage and opportunity to do it. Thus, notwithstanding whatever title the kings of Assyria had over Judah, by the sword, God assisted Hezekiah to throw off the dominion of that conquering empire. "And the lord was with Hezekiah, and he prospered; wherefore he went forth, and he rebelled against the king of Assyria, and served him not" (2 Kings xviii. 7). Whence it is plain, that shaking off a power, which force, and not right, has set over anyone, though it has the name of rebellion, yet is no offence before God, but is that which he allows and countenances, though even promises and covenants, when obtained by force, have intervened: for it is very probable, to anyone that reads the story of Ahaz and Hezekiah attentively, that the Assyrians subdued Ahaz, and deposed him, and made Hezekiah king in his father's lifetime; and that Hezekiah by agreement had done him homage, and paid him tribute all this time.

Chapter 17: Of Usurpation

§ 197. As conquest may be called a foreign usurpation, so usurpation is a kind of domestic conquest, with this difference, that an usurper can never have right on his side, it being no usurpation, but where one is got into the possession of what another has right to.[4] This, so far as it is usurpation, is a change only of persons, but not of the forms and rules of the government: for if the usurper extend his power beyond what of right belonged to the lawful princes, or governors of the commonwealth, it is tyranny added to usurpation.

§ 198. In all lawful governments, the designation of the persons, who are to bear rule, is as natural and necessary a part as the form of the government itself, and is that which had its establishment originally from the people; the anarchy being much alike, to have no form of government at all, or to agree that it shall be monarchical, but to appoint no way to design the person that shall have the power, and be the monarch. Hence all commonwealths, with the form of government established, have rules also of appointing those who are to have any share in the public authority, and settled methods of conveying the right to them. Whoever gets into the exercise of any part of the power, by other ways than what the laws of the community have prescribed, has no right to be obeyed, though the form of the commonwealth be still preserved; since he is not the person the laws have appointed, and consequently not the person the people have consented to. Nor can such an usurper, or any deriving from him, ever have a title, till the people are both at liberty to consent, and have actually consented to allow, and confirm in him the power he has till then usurped.

Chapter 18: Of Tyranny

§ 199. As usurpation is the exercise of power, which another has a right to; so tyranny is the exercise of power beyond right, which nobody can have a right to. And this is making use of the power anyone has in his hands, not for the good of those who are under it, but for his own private separate advantage. When the governor, however entitled, makes not the law, but his will, the rule; and his commands and actions are not directed to the preservation of the properties of his people, but the satisfaction of his own ambition, revenge, covetousness, or any other irregular passion.

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[1] *omnipotency* The state of being all-powerful, infinitely powerful.

[2] *Hingar, or Hubba ... in England* Most likely a reference to Ingware and Ubba, leaders of the Norse army that invaded England during the 860s.

[3] *Spartacus* Gladiator-slave who led a slave rebellion against Rome, defeated in 71 BCE.

[4] *it being no usurpation ... another has right to* Locke means: It is not usurpation when one has the right to what one gets.

§ 200. If one can doubt this to be truth, or reason, because it comes from the obscure hand of a subject, I hope the authority of a king will make it pass with him. King James the First, in his speech to the parliament, 1603, tells them thus,

> I will ever prefer the weal of the public, and of the whole commonwealth, in making of good laws and constitutions, to any particular and private ends of mine; thinking ever the wealth and weal[1] of the commonwealth to be my greatest weal and worldly felicity; a point wherein a lawful king doth directly differ from a tyrant: for I do acknowledge, that the special and greatest point of difference that is betwixt a rightful king and an usurping tyrant, is this, that whereas the proud and ambitious tyrant doth think his kingdom and people are only ordained for satisfaction of his desires and unreasonable appetites, the righteous and just king doth by the contrary acknowledge himself to be ordained for the procuring of the wealth and property of his people.

And again, in his speech to the parliament, 1609, he had these words:

> The king binds himself by a double oath, to the observation of the fundamental laws of his kingdom; tacitly, as by being a king, and so bound to protect as well the people, as the laws of his kingdom; and expressly, by his oath at his coronation, so as every just king, in a settled kingdom, is bound to observe that paction[2] made to his people, by his laws, in framing his government agreeable thereunto, according to that paction which God made with Noah after the deluge "Hereafter, seed-time and harvest, and cold and heat, and summer and winter, and day and night, shall not cease while the earth remaineth."[3] And therefore a king governing in a settled kingdom, leaves to be a king, and degenerates into a tyrant, as soon as he leaves off to rule according to his laws.

And a little after:

> Therefore all kings that are not tyrants, or perjured, will be glad to bound themselves within the limits of their laws; and they that persuade them the contrary, are vipers, and pests both against them and the commonwealth. Thus that learned king, who well understood the notion of things, makes the difference between a king and a tyrant to consist only in this, that one makes the laws the bounds of his power, and the good of the public, the end of his government; the other makes all give way to his own will and appetite.

§ 201. It is a mistake, to think this fault is proper only to monarchies; other forms of government are liable to it, as well as that: for wherever the power, that is put in any hands for the government of the people, and the preservation of their properties, is applied to other ends, and made use of to impoverish, harass, or subdue them to the arbitrary and irregular commands of those that have it; there it presently becomes tyranny, whether those that thus use it are one or many. Thus we read of the thirty tyrants[4] at Athens, as well as one at Syracuse;[5] and the intolerable dominion of the Decemviri[6] at Rome was nothing better.

§ 202. Wherever law ends, tyranny begins, if the law be transgressed to another's harm; and whosoever in authority exceeds the power given him by the law, and makes use of the force he has under his command, to compass that upon the subject, which the law allows not,[7] ceases in that to be a magistrate; and, acting without authority, may be opposed, as any other man, who by force invades the right of another. This is acknowledged in subordinate magistrates. He that has authority to seize my person in the street, may be opposed as a thief and a robber, if he endeavors to break into my house to execute a writ,[1] notwithstanding that I know he has such a warrant, and such a legal authority, as will empower him to arrest me abroad.[2] And why this should not hold in the highest, as well as in the most inferior magistrate, I would gladly be informed. Is it reasonable, that the eldest brother, because he has the greatest part of his father's estate, should thereby have a right to take away any of his younger brothers' portions? or that a rich man, who possessed a whole country, should from thence have a right to seize, when he pleased, the cottage and garden of his poor neighbor? The being rightfully possessed of great power and riches, exceedingly beyond the greatest part of the sons of Adam, is so far from being an excuse, much less a reason, for rapine[3] and oppression, which the endamaging[4] another without authority is, that it is a great aggravation of it:[5] for the exceeding the bounds of authority is no more a right in a great, than in a petty officer; no more justifiable in a king than a constable; but is so much the worse in him, in that he has more trust put in him, has already a much greater share than the rest of his brethren, and is supposed, from the advantages of his education, employment, and counselors, to be more knowing in the measures of right and wrong.

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[1] *wealth and weal* Both these words can mean *material riches*; but in an older use (incorporated into the words 'commonwealth' and 'commonweal') both mean *well-being* or *happiness*.

[2] *paction* Agreement.

[3] Genesis 8.22.

[4] *thirty tyrants* Ruling group installed after Athens's defeat in the Peloponnesian War in 404 BCE. They disregarded their assignment (to draft a new constitution), abused their power, and killed off their opponents, confiscating their possessions.

[5] *one at Syracuse* Opinions differ about which ruler of Syracuse (in Sicily) Locke meant here. Perhaps Dionysius I, also known as Dionysius the Elder (430–367 BCE), perhaps Agathocles (361?–289 BCE); both were known for their cruelty.

[6] *Decemviri* Latin: ten men. There were various ten-man groups in ancient Rome, but Locke here refers to the group of magistrates (lawgivers) appointed with strong powers in 451 BCE; they became increasingly violent and tyrannical, refusing to leave at the end of their term, but they were forced out by an uprising afterwards.

[7] *compass ... law allows not* Do to the subject that which the law does not allow.

§ 203. May the commands then of a prince be opposed? may he be resisted as often as anyone shall find himself aggrieved, and but imagine he has not right done him? This will unhinge and overturn all polities, and, instead of government and order, leave nothing but anarchy and confusion.

§ 204. To this I answer, that force is to be opposed to nothing, but to unjust and unlawful force; whoever makes any opposition in any other case, draws on himself a just condemnation both from God and man; and so no such danger or confusion will follow, as is often suggested: for,

§ 205. First, As, in some countries, the person of the prince by the law[6] is sacred; and so, whatever he commands or does, his person is still free from all question or violence, not liable to force, or any judicial censure or condemnation. But yet opposition may be made to the illegal acts of any inferior officer, or other commissioned by him; unless he will, by actually putting himself into a state of war with his people, dissolve the government, and leave them to that defense which belongs to everyone in the state of nature: for of such things who can tell what the end will be? and a neighbor kingdom has shown the world an odd example. In all other cases the sacredness of the person exempts him from all inconveniencies, whereby he is secure, while the government stands, from all violence and harm whatsoever; than which there cannot be a wiser constitution: for the harm he can do in his own person not being likely to happen often, nor to extend itself far; nor being able by his single strength to subvert the laws, nor oppress the body of the people, should any prince have so much weakness, and ill nature as to be willing to do it, the inconveniency of some particular mischiefs, that may happen sometimes, when a heady prince comes to the throne, are well recompensed by the peace of the public, and security of the government, in the person of the chief magistrate, thus set out of the reach of danger: it being safer for the body, that some few private men should be sometimes in danger to suffer, than that the head of the republic should be easily, and upon slight occasions, exposed.

§ 206. Secondly, But this privilege, belonging only to the king's person, hinders not, but they may be questioned, opposed, and resisted, who use unjust force, though they pretend a commission from him, which the law authorizes not;[7] as is plain in the case of him that has the king's writ to arrest a man, which is a full commission from the king; and yet he that has it cannot break open a man's house to do it, nor execute this command of the king upon certain days, nor in certain places, though this commission have no such exception in it; but they are the limitations of the law, which if anyone transgress, the king's commission excuses him not: for the king's authority being given him only by the law, he cannot empower anyone to act against the law, or justify him, by his commission, in so doing; the commission, or command of any magistrate, where he has no authority, being as void and insignificant, as that of any private man; the difference between the one and the other, being that the magistrate has some authority so far, and to such ends, and the private man has none at all: for it is not the commission, but the authority, that gives the right of acting; and against the laws there can be no authority. But, notwithstanding such resistance, the king's person and authority are still both secured, and so no danger to governor or government.

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[1] *execute a writ* Carry out the provisions of a legal order.

[2] *abroad* Outside (my house).

[3] *rapine* Illicit seizing of another's property.

[4] *endamaging* Bringing damage to.

[5] *The being rightfully possessed ... aggravation of it* Locke means here: Being the owner of great power and riches ... far from being an excuse for robbery and oppression, makes it much worse.

[6] *by the law* As a matter of law.

[7] *But this privilege ... authorizes not* Locke means here: This privilege for the king's person does not extend to those who use unjust force, claiming to be commissioned by the king; they may be questioned, opposed, and resisted.

§ 207. Thirdly, Supposing a government wherein the person of the chief magistrate is not thus sacred; yet this doctrine of the lawfulness of resisting all unlawful exercises of his power, will not upon every slight occasion endanger him, or embroil the government: for where the injured party may be relieved, and his damages repaired by appeal to the law, there can be no pretence for force, which is only to be used where a man is intercepted from appealing to the law: for nothing is to be accounted[1] hostile force, but where it leaves not the remedy of such an appeal; and it is such force alone, that puts him that uses it into a state of war, and makes it lawful to resist him. A man with a sword in his hand demands my purse in the highway, when perhaps I have not twelve pence in my pocket: this man I may lawfully kill. To another I deliver 100 pounds to hold only while I alight, which he refuses to restore me, when I am got up again, but draws his sword to defend the possession of it by force, if I endeavor to retake it. The mischief this man does me is a hundred, or possibly a thousand times more than the other perhaps intended me (whom I killed before he really did me any); and yet I might lawfully kill the one, and cannot so much as hurt the other lawfully. The reason whereof is plain; because the one using force, which threatened my life, I could not have time to appeal to the law to secure it: and when it was gone, it was too late to appeal. The law could not restore life to my dead carcass: the loss was irreparable; which to prevent, the law of nature gave me a right to destroy him, who had put himself into a state of war with me, and threatened my destruction. But in the other case, my life not being in danger, I may have the benefit of appealing to the law, and have reparation for my 100 pounds that way.

§ 208. Fourthly, But if the unlawful acts done by the magistrate be maintained (by the power he has got), and the remedy which is due by law, be by the same power obstructed; yet the right of resisting, even in such manifest acts of tyranny, will not suddenly, or on slight occasions, disturb the government: for if it reach no farther than some private men's cases, though they have a right to defend themselves, and to recover by force what by unlawful force is taken from them; yet the right to do so will not easily engage them in a contest, wherein they are sure to perish; it being as impossible for one, or a few oppressed men to disturb the government, where the body of the people do not think themselves concerned in it, as for a raving madman, or heady[2] malcontent to overturn a well settled state; the people being as little apt to follow the one, as the other.

§ 209. But if either these illegal acts have extended to the majority of the people; or if the mischief and oppression has lighted only on some few, but in such cases, as the precedent, and consequences seem to threaten all; and they are persuaded in their consciences, that their laws, and with them their estates, liberties, and lives are in danger, and perhaps their religion too; how they will be hindered from resisting illegal force, used against them, I cannot tell. This is an inconvenience, I confess, that attends all governments whatsoever, when the governors have brought it to this pass, to be generally suspected of their people; the most dangerous state which they can possibly put themselves in. Wherein they are the less to be pitied, because it is so easy to be avoided; it being as impossible for a governor, if he really means the good of his people, and the preservation of them, and their laws together, not to make them see and feel it, as it is for the father of a family, not to let his children see he loves, and takes care of them.

§ 210. But if all the world shall observe pretences of one kind, and actions of another; arts used to elude the law, and the trust of prerogative (which is an arbitrary power in some things left in the prince's hand to do good, not harm to the people) employed contrary to the end for which it was given: if the people shall find the ministers and subordinate magistrates chosen suitable to such ends, and favored, or laid by, proportionably as[3] they promote or oppose them: if they see several experiments made of arbitrary power, and that religion underhand[4] favored, (though publicly proclaimed against) which is readiest to introduce it; and the operators[5] in it supported, as much as may be; and when that cannot be done, yet approved still, and liked the better: if a long train of actions show the councils all tending that way; how can a man any more hinder himself from being persuaded in his own mind, which way things are going;

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[1] *accounted* Counted as.

[2] *heady* Impetuous.

[3] *laid by, proportionably as* Dismissed, depending on whether they promote or oppose them.

[4] *underhand* Secretly.

[5] *operators* Officials (of the religion).

or from casting about how to save himself, than he could from believing the captain of the ship he was in, was carrying him, and the rest of the company, to Algiers,[1] when he found him always steering that course, though cross winds, leaks in his ship, and want of men and provisions did often force him to turn his course another way for some time, which he steadily returned to again, as soon as the wind, weather, and other circumstances would let him?

Chapter 19: Of the Dissolution of Government

§ 211. He that will with any clearness speak of the dissolution of government, ought in the first place to distinguish between the dissolution of the society and the dissolution of the government. That which makes the community, and brings men out of the loose state of nature, into one politic society, is the agreement which everyone has with the rest to incorporate, and act as one body, and so be one distinct commonwealth. The usual, and almost only way whereby this union is dissolved, is the inroad of foreign force making a conquest upon them: for in that case, (not being able to maintain and support themselves, as one entire and independent body) the union belonging to that body which consisted therein, must necessarily cease, and so everyone return to the state he was in before, with a liberty to shift for himself, and provide for his own safety, as he thinks fit, in some other society. Whenever the society is dissolved, it is certain the government of that society cannot remain. Thus conquerors' swords often cut up governments by[2] the roots, and mangle societies to pieces, separating the subdued or scattered multitude from the protection of, and dependence on, that society which ought to have preserved them from violence. The world is too well instructed in, and too forward[3] to allow of, this way of dissolving of governments, to need any more to be said of it; and there wants not much argument to prove, that where the society is dissolved, the government cannot remain; that being as impossible, as for the frame of an house to subsist when the materials of it are scattered and dissipated by a whirlwind, or jumbled into a confused heap by an earthquake.

§ 212. Besides this overturning from without, governments are dissolved from within,

First, When the legislative is altered. Civil society being a state of peace, among those who are of it, from whom the state of war is excluded by the umpirage,[4] which they have provided in their legislative, for the ending all differences that may arise among any of them, it is in their legislative, that the members of a commonwealth are united, and combined together into one coherent living body. This is the soul that gives form, life, and unity, to the commonwealth: from hence the several members have their mutual influence, sympathy, and connection: and therefore, when the legislative is broken, or dissolved, dissolution and death follows: for the essence and union of the society consisting in having one will, the legislative, when once established by the majority, has the declaring, and as it were keeping of that will. The constitution of the legislative is the first and fundamental act of society, whereby provision is made for the continuation of their union, under the direction of persons, and bonds of laws, made by persons authorized thereunto, by the consent and appointment of the people, without which no one man, or number of men, among them, can have authority of making laws that shall be binding to the rest. When any one, or more, shall take upon them to make laws, whom the people have not appointed so to do, they make laws without authority, which the people are not therefore bound to obey; by which means they come again to be out of subjection, and may constitute to themselves a new legislative, as they think best, being in full liberty to resist the force of those, who without authority would impose any thing upon them. Everyone is at the disposure of his own will,[5] when those who had, by the delegation of the society, the declaring of the public will, are excluded from it, and others usurp the place, who have no such authority or delegation.

§ 213. This being usually brought about by such in the commonwealth who misuse the power they have; it is hard to consider it aright, and know at whose door to lay it,[6] without knowing the form of government in which it happens. Let us suppose then the legislative placed in the concurrence[7] of three distinct persons.

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[1] *Algiers* The capital of Algeria, in North Africa. A particularly nasty—pirate-ridden—place in Locke's day.

[2] *cut up governments by* Cut off governments at.

[3] *forward* Ready.

[4] *the umpirage* The existence of an arbitrator or arbitration process.

[5] *at the disposure of his own will* Free to do what he wants.

[6] *at whose door to lay it* Whom to blame it on.

[7] *concurrence* Cooperation.

1. A single hereditary person, having the constant, supreme, executive power, and with it the power of convoking and dissolving the other two within certain periods of time.

2. An assembly of hereditary nobility.

3. An assembly of representatives chosen, pro tempore,[1] by the people. Such a form of government supposed,[2] it is evident,

§ 214. First, That when such a single person, or prince, sets up his own arbitrary will in place of the laws, which are the will of the society, declared by the legislative, then the legislative is changed: for that being in effect the legislative, whose rules and laws are put in execution, and required to be obeyed; when other laws are set up, and other rules pretended, and enforced, than what the legislative, constituted by the society, have enacted, it is plain that the legislative is changed.[3] Whoever introduces new laws, not being thereunto authorized by the fundamental appointment of the society, or subverts the old, disowns and overturns the power by which they were made, and so sets up a new legislative.

§ 215. Secondly, When the prince hinders the legislative from assembling in its due time, or from acting freely, pursuant to those ends for which it was constituted, the legislative is altered: for it is not a certain number of men, no, nor their meeting, unless they have also freedom of debating, and leisure of perfecting, what is for the good of the society, wherein the legislative consists: when these are taken away or altered, so as to deprive the society of the due exercise of their power, the legislative is truly altered; for it is not names that constitute governments, but the use and exercise of those powers that were intended to accompany them; so that he, who takes away the freedom, or hinders the acting of the legislative in its due seasons, in effect takes away the legislative, and puts an end to the government.

§ 216. Thirdly, When, by the arbitrary power of the prince, the electors,[4] or ways of election, are altered, without the consent, and contrary to the common interest of the people, there also the legislative is altered: for, if others than those whom the society has authorized thereunto, do choose, or in another way than what the society has prescribed, those chosen are not the legislative appointed by the people.

§ 217. Fourthly, The delivery also of the people into the subjection of a foreign power, either by the prince, or by the legislative, is certainly a change of the legislative, and so a dissolution of the government: for the end why people entered into society being to be preserved one entire, free, independent society, to be governed by its own laws; this is lost, whenever they are given up into the power of another.

§ 218. Why, in such a constitution as this, the dissolution of the government in these cases is to be imputed to[5] the prince, is evident; because he, having the force, treasure[6] and offices of the state to employ, and often persuading himself, or being flattered by others, that as supreme magistrate he is incapable of control;[7] he alone is in a condition to make great advances toward such changes, under pretence of lawful authority, and has it in his hands to terrify or suppress opposers, as factious,[8] seditious, and enemies to the government: whereas no other part of the legislative, or people, is capable by themselves to attempt any alteration of the legislative, without open and visible rebellion, apt enough to be taken notice of, which, when it prevails, produces effects very little different from foreign conquest. Besides, the prince in such a form of government, having the power of dissolving the other parts of the legislative, and thereby rendering them private persons, they can never in opposition to him, or without his concurrence, alter the legislative by a law, his consent being necessary to give any of their decrees that sanction. But yet so far as the other parts of the legislative any way contribute to any attempt upon the government, and do either promote, or not, what lies in them,[9] hinder such designs, they are guilty, and partake in this, which is certainly the greatest crime men can be guilty of one towards another.

§ 219. There is one way more whereby such a government may be dissolved, and that is: When he who has the supreme executive power, neglects and abandons that charge, so that the laws already made can no longer be put in execution. This is demonstratively[10] to reduce all to anarchy, and so effectually to dissolve the government:

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[1] *pro tempore* Latin: for a limited period.

[2] *supposed* Assumed.

[3] *for that being in effect ... legislative is changed* This means: What constitutes a legislature is applying rules and laws, and requiring them to be obeyed; so when laws are set up and rules announced and enforced other than those enacted by the legislature set up by the society, clearly a new legislature is in place.

[4] *electors* People who are to vote.

[5] *imputed to* Blamed on.

[6] *treasure* Treasury.

[7] *incapable of control* Can't be told what to do.

[8] *factious* Promoting internal dissension.

[9] *what lies in them* When they could have done so.

[10] *demonstratively* Manifestly.

for laws not being made for themselves, but to be, by their execution, the bonds of the society, to keep every part of the body politic in its due place and function; when that totally ceases, the government visibly ceases, and the people become a confused multitude, without order or connection. Where there is no longer the administration of justice, for the securing of men's rights, nor any remaining power within the community to direct the force, or provide for the necessities of the public, there certainly is no government left. Where the laws cannot be executed, it is all one as if there were no laws; and a government without laws is, I suppose, a mystery in politics, unconceivable to human capacity, and inconsistent with human society.

§ 220. In these and the like cases, when the government is dissolved, the people are at liberty to provide for themselves, by erecting a new legislative, differing from the other, by the change of persons, or form, or both, as they shall find it most for their safety and good: for the society can never, by the fault of another, lose the native and original right it has to preserve itself, which can only be done by a settled legislative, and a fair and impartial execution of the laws made by it. But the state of mankind is not so miserable that they are not capable of using this remedy, till it be too late to look for any. To tell people they may provide for themselves, by erecting a new legislative, when by oppression, artifice, or being delivered over to a foreign power, their old one is gone, is only to tell them, they may expect relief when it is too late, and the evil is past cure. This is in effect no more than to bid them first be slaves, and then to take care of their liberty; and when their chains are on, tell them, they may act like freemen. This, if barely so, is rather mockery than relief; and men can never be secure from tyranny, if there be no means to escape it till they are perfectly under it: and therefore it is, that they have not only a right to get out of it, but to prevent it.

§ 221. There is therefore, secondly, another way whereby governments are dissolved, and that is, when the legislative, or the prince, either of them, act contrary to their trust. First, The legislative acts against the trust reposed in them, when they endeavor to invade the property of the subject, and to make themselves, or any part of the community, masters, or arbitrary disposers of the lives, liberties, or fortunes of the people.

§ 222. The reason why men enter into society, is the preservation of their property; and the end why they choose and authorize a legislative, is, that there may be laws made, and rules set, as guards and fences to the properties of all the members of the society, to limit the power, and moderate the dominion, of every part and member of the society: for since it can never be supposed to be the will of the society, that the legislative should have a power to destroy that which everyone designs to secure, by entering into society, and for which the people submitted themselves to legislators of their own making; whenever the legislators endeavor to take away, and destroy the property of the people, or to reduce them to slavery under arbitrary power, they put themselves into a state of war with the people, who are thereupon absolved from any farther obedience, and are left to the common refuge, which God has provided for all men, against force and violence. Whenever therefore the legislative shall transgress this fundamental rule of society; and either by ambition, fear, folly or corruption, endeavor to grasp themselves, or put into the hands of any other, an absolute power over the lives, liberties, and estates of the people; by this breach of trust they forfeit the power the people had put into their hands for quite contrary ends, and it devolves to the people, who have a right to resume their original liberty, and, by the establishment of a new legislative, (such as they shall think fit) provide for their own safety and security, which is the end for which they are in society. What I have said here, concerning the legislative in general, holds true also concerning the supreme executor, who having a double trust put in him, both to have a part in the legislative, and the supreme execution of the law, acts against both, when he goes about to set up his own arbitrary will as the law of the society. He acts also contrary to his trust, when he either employs the force, treasure, and offices of the society, to corrupt the representatives, and gain them to his purposes; or openly preengages[1] the electors, and prescribes to their choice, such, whom he has, by solicitations, threats, promises, or otherwise, won to his designs; and employs them to bring in such,[2] who have promised beforehand what to vote, and what to enact. Thus to regulate candidates and electors, and new-model[3] the ways of election, what is it but to cut up the government by the roots, and poison the very fountain of public security? for the people having reserved to themselves the choice of their representatives, as the fence to their properties, could do it for no other end, but that they might always be freely chosen, and so chosen, freely act, and advise, as the necessity of the commonwealth, and the public good should, upon examination, and mature debate, be judged to require. This, those who give their votes before they hear the debate, and have weighed the reasons on all sides, are not capable of doing. To prepare such an assembly as this, and endeavor to set up the declared abettors of his own will, for the true representatives of the people, and the law-makers of the society, is certainly as great a breach of trust, and as perfect a declaration of a design to subvert the government, as is possible to be met with. To which, if one shall add rewards and punishments visibly employed to the same end, and all the arts of perverted law made use of, to take off and destroy all that stand in the way of such a design, and will not comply and consent to betray the liberties of their country, it will be past doubt what is doing. What power they ought to have in the society, who thus employ it contrary to the trust went along with it in its first institution, is easy to determine; and one cannot but see, that he, who has once attempted any such thing as this, cannot any longer be trusted.

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[1] *preengages* Wins over or binds beforehand.

[2] *bring in such* Elect those.

[3] *new-model* Reshape.

§ 223. To this perhaps it will be said,[1] that the people being ignorant, and always discontented, to lay the foundation of government in the unsteady opinion and uncertain humor of the people, is to expose it to certain ruin; and no government will be able long to subsist, if the people may set up a new legislative, whenever they take offence at the old one. To this I answer, Quite the contrary. People are not so easily got out of their old forms, as some are apt to suggest. They are hardly to be prevailed with to amend the acknowledged faults in the frame they have been accustomed to. And if there be any original défects, or adventitious[2] ones introduced by time, or corruption; it is not an easy thing to get them changed, even when all the world sees there is an opportunity for it. This slowness and aversion in the people to quit their old constitutions, has, in the many revolutions which have been seen in this kingdom, in this and former ages, still kept us to, or, after some interval of fruitless attempts, still brought us back again to our old legislative of king, lords and commons: and whatever provocations have made the crown be taken from some of our princes' heads, they never carried the people so far as to place it in another line.[3]

§ 224. But it will be said, this hypothesis lays[4] a ferment for frequent rebellion. To which I answer,

First, No more than any other hypothesis: for when the people are made miserable, and find themselves exposed to the ill usage of arbitrary power, cry up their governors, as much as you will, for sons of Jupiter;[5] let them be sacred and divine, descended, or authorized from heaven; give them out for whom or what you please, the same will happen. The people generally ill treated, and contrary to right, will be ready upon any occasion to ease themselves of a burden that sits heavy upon them. They will wish, and seek for the opportunity, which in the change, weakness and accidents of human affairs, seldom delays long to offer itself. He must have lived but a little while in the world, who has not seen examples of this in his time; and he must have read very little, who cannot produce examples of it in all sorts of governments in the world.

§ 225. Secondly, I answer, such revolutions happen not upon every little mismanagement in public affairs. Great mistakes in the ruling part, many wrong and inconvenient laws, and all the slips of human frailty, will be born by the people without mutiny or murmur. But if a long train of abuses, prevarications[6] and artifices, all tending the same way, make the design visible to the people, and they cannot but feel what they lie under, and see whither they are going; it is not to be wondered, that they should then rouse themselves, and endeavor to put the rule into such hands which may secure to them the ends for which government was at first erected; and without which, ancient names, and specious forms,[7] are so far from being better, that they are much worse, than the state of nature, or pure anarchy; the inconveniencies being all as great and as near, but the remedy farther off and more difficult.

§ 226. Thirdly, I answer, that this doctrine of a power in the people of providing for their safety anew, by a new legislative, when their legislators have acted contrary to their trust, by invading their property, is the best fence against rebellion, and the probablest[8] means to hinder it: for rebellion being an opposition, not to persons, but authority, which is founded only in the constitutions and laws of the government; those, whoever they be, who by force break through, and by force justify their violation of them, are truly and properly rebels: for when men, by entering into society and civil-government, have excluded force, and introduced laws for the preservation of property, peace, and unity among themselves, those who set up force again in opposition to the laws, do rebellare,[1] that is, bring back again the state of war, and are properly rebels: which they who are in power, (by the pretence they have to authority, the temptation of force they have in their hands, and the flattery of those about them) being likeliest to do; the most proper way to prevent the evil, is to show them the danger and injustice of it, who are under the greatest temptation to run into it.

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[1] *it will be said* It will be objected.

[2] *adventitious* Added from outside, accidental.

[3] *line* Line of descent.

[4] *lays* Creates.

[5] *for sons of Jupiter* As if they were sons of Jupiter (who was the patron deity of the ancient Roman state, the god of laws and social order).

[6] *prevarications* Avoidances of telling the truth.

[7] *specious forms* Deceptively attractive rituals.

[8] *probablest* Most likely.

§ 227. In both the aforementioned cases, when either the legislative is changed, or the legislators act contrary to the end for which they were constituted; those who are guilty are guilty of rebellion: for if anyone by force takes away the established legislative of any society, and the laws by them made, pursuant to their trust, he thereby takes away the umpirage, which everyone had consented to, for a peaceable decision of all their controversies, and a bar to the state of war among them. They, who remove, or change the legislative, take away this decisive power, which nobody can have, but by the appointment and consent of the people; and so destroying the authority which the people did, and nobody else can set up, and introducing a power which the people has not authorized, they actually introduce a state of war, which is that of force without authority: and thus, by removing the legislative established by the society, (in whose decisions the people acquiesced and united, as to that of their own will) they untie the knot, and expose the people a-new to the state of war. And if those, who by force take away the legislative, are rebels, the legislators themselves, as has been shown, can be no less esteemed so; when they, who were set up for the protection, and preservation of the people, their liberties and properties, shall by force invade and endeavor to take them away; and so they putting themselves into a state of war with those who made them the protectors and guardians of their peace, are properly, and with the greatest aggravation, rebellantes,[2] rebels.

§ 228. But if they, who say it lays a foundation for rebellion, mean that it may occasion civil wars, or intestine broils,[3] to tell the people they are absolved from[4] obedience when illegal attempts are made upon their liberties or properties, and may oppose the unlawful violence of those who were their magistrates, when they invade their properties contrary to the trust put in them; and that therefore this doctrine is not to be allowed, being so destructive to the peace of the world: they may as well say, upon the same ground, that honest men may not oppose robbers or pirates, because this may occasion disorder or bloodshed. If any mischief come in such cases, it is not to be charged upon him who defends his own right, but on him that invades his neighbors. If the innocent honest man must quietly quit all he has, for peace sake, to him who will lay violent hands upon it, I desire it may be considered, what a kind of peace there will be in the world, which consists only in violence and rapine; and which is to be maintained only for the benefit of robbers and oppressors. Who would not think it an admirable peace betwixt the mighty and the mean, when the lamb, without resistance, yielded his throat to be torn by the imperious wolf? Polyphemus's den[5] gives us a perfect pattern of such a peace, and such a government, wherein Ulysses and his companions had nothing to do, but quietly to suffer themselves to be devoured. And no doubt Ulysses, who was a prudent man, preached up passive obedience, and exhorted them to a quiet submission, by representing to them of what concernment peace was to mankind; and by showing the inconveniencies might happen, if they should offer to resist Polyphemus, who had now the power over them.

§ 229. The end of government is the good of mankind; and which is best for mankind, that the people should be always exposed to the boundless will of tyranny, or that the rulers should be sometimes liable to be opposed, when they grow exorbitant in the use of their power, and employ it for the destruction, and not the preservation of the properties of their people?

§ 230. Nor[6] let anyone say, that mischief can arise from hence, as often as it shall please a busy head, or turbulent spirit, to desire the alteration of the government. It is true, such men may stir, whenever they please; but it will be only to their own just ruin and perdition: for till the mischief be grown general, and the ill designs of the rulers become visible, or their attempts sensible to the greater part,[1] the people, who are more disposed to suffer than right themselves by resistance, are not apt to stir. The examples of particular injustice, or oppression of here and there an unfortunate man, moves them not. But if they universally have a persuasion, grounded upon manifest evidence, that designs are carrying on[2] against their liberties, and the general course and tendency of things cannot but give them strong suspicions of the evil intention of their governors, who is to be blamed for it? Who can help it, if they, who might avoid it, bring themselves into this suspicion? Are the people to be blamed, if they have the sense of rational creatures, and can think of things no otherwise than as they find and feel them? And is it not rather their fault, who put things into such a posture, that they would not have them thought to be as they are? I grant, that the pride, ambition, and turbulency of private men have sometimes caused great disorders in commonwealths, and factions have been fatal to states and kingdoms. But whether the mischief has oftener begun in the people's wantonness,[3] and a desire to cast off the lawful authority of their rulers, or in the rulers insolence, and endeavors to get and exercise an arbitrary power over their people; whether oppression, or disobedience, gave the first rise to the disorder, I leave it to impartial history to determine. This I am sure, whoever, either ruler or subject, by force goes about to invade the rights of either prince or people, and lays the foundation for overturning the constitution and frame of any just government, is highly guilty of the greatest crime, I think, a man is capable of, being to answer for all those mischiefs of blood, rapine, and desolation, which the breaking to pieces of governments bring on a country. And he who does it, is justly to be esteemed the common enemy and pest of mankind, and is to be treated accordingly.

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[1] *rebellare* Latin: rebel. This word derives from *bellare*, to make war; so adding the initial *re* (= again) suggests making war again. That may be why Locke uses the Latin word: for him, to rebel and destroy the government is to re-institute a state of war.

[2] *rebellantes* Latin: rebels; but see previous note.

[3] *intestine broils* Internal unrest.

[4] *absolved from* Relieved of the obligation of.

[5] *Polyphemus's den* In Homer's *Odyssey*, Polyphemus is a ferocious and horrible one-eyed giant (a Cyclops) who traps Ulysses and his men in his cave and begins eating them. Contrary to Locke's sarcastic suggestion, Ulysses hatches an ingenious scheme to blind Polyphemus and escape.

[6] *Nor* Do not.

§ 231. That subjects or foreigners, attempting by force on the properties of any people, may be resisted with force, is agreed on all hands. But that magistrates, doing the same thing, may be resisted, has of late been denied: as if those who had the greatest privileges and advantages by the law, had thereby a power to break those laws, by which alone they were set in a better place than their brethren: whereas their offence is thereby the greater, both as being ungrateful for the greater share they have by the law, and breaking also that trust, which is put into their hands by their brethren.

§ 232. Whosoever uses force without right, as everyone does in society, who does it without law, puts himself into a state of war with those against whom he so uses it; and in that state all former ties are cancelled, all other rights cease, and everyone has a right to defend himself, and to resist the aggressor. This is so evident, that Barclay[4] himself, that great assertor of the power and sacredness of kings, is forced to confess, that it is lawful for the people, in some cases, to resist their king; and that too in a chapter, wherein he pretends to show, that the divine law shuts up[5] the people from all manner of rebellion. Whereby it is evident, even by his own doctrine, that, since they may in some cases resist, all resisting of princes is not rebellion.

His words are these:[6]

> Quod siquis dicat, Ergone populus tyrannicae crudelitati et furori jugulum semper praebebit? Ergone multitudo civitates suas fame, ferro, et flamma vastari, seque, conjuges, et liberos fortunae ludibrio et tyranni libidini exponi, inque omnia vitae pericula omnesque miserias et molestias a rege deduci patientur? Num illis quod omni animantium generi est a natura tributum, denegari debet, ut sc. vim vi repellant, seseque ab injuria tueantur? Huic breviter responsum sit, populo universo negari defensionem, quae juris naturalis est, neque ultionem quae praeter naturam est adversus regem concedi debere. Quapropter si rex non in singulares tantum personas aliquot privatum odium exerceat, sed corpus etiam reipublicae, cujus ipse, caput est—i.e., totum populum, vel insignem aliquam ejus partem immani et intoleranda saevitia seu tyrannide divexet; populo, quidem hoc casu resistendi ac tuendi se ab injuria potestas competit, sed tuendi se tantum, non enim in principem invadendi: et restituendae injuriae illatae, non recedendi a debita reverentia propter acceptum injuriam. Praesentem denique

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[1] *sensible to the greater part* Visible, or obvious, to the majority (of people).

[2] *designs are carrying on* Plots are being carried out.

[3] *wantonness* Unruliness, irresponsibility.

[4] *Barclay* William Barclay (c. 1546–1608), obscure Scottish jurist and political theorist.

[5] *shuts up* Blocks.

[6] *His words are these* See below for Locke's English translation. (This is one of a series of Latin quotations that Locke translates.)

> impetum propulsandi non vim praeteritam ulciscendi jus habet. Horum enim alterum a natura est, ut vitani scilicet corpusque tueamur. Alterum vero contra naturam, ut inferior de superiori supplicium sumat. Quod itaque populus malum, antequam factum sit, impedire potest, ne fiat, id postquam factum est, in regem authorem sceleris vindicare non potest, populus igitur hoc amplius quam privatus quispiam habet: Quod huic, vel ipsis adversariis judicibus, excepto Buchanano, nullum nisi in patientia remedium superest. Cum ille si intolerabilis tyrannis est (modicum enim ferre omnino debet) resistere cum reverentia possit.—Barclay, *Contra Monarchomachos*, 1. iii. c. 8.

In English thus:

> § 233. But if anyone should ask, Must the people then always lay themselves open to the cruelty and rage of tyranny? Must they see their cities pillaged, and laid in ashes, their wives and children exposed to the tyrant's lust and fury, and themselves and families reduced by their king to ruin, and all the miseries of want and oppression, and yet sit still? Must men alone be debarred the common privilege of opposing force with force, which nature allows so freely to all other creatures for their preservation from injury? I answer: Self-defense is a part of the law of nature; nor can it be denied the community, even against the king himself: but to revenge themselves upon him, must by no means be allowed them; it being not agreeable to[1] that law. Wherefore if the king shall show an hatred, not only to some particular persons, but sets himself against the body of the commonwealth, whereof he is the head, and shall, with intolerable ill usage, cruelly tyrannize over the whole, or a considerable part of the people, in this case the people have a right to resist and defend themselves from injury: but it must be with this caution, that they only defend themselves, but do not attack their prince: they may repair the damages received, but must not for any provocation exceed the bounds of due reverence and respect. They may repulse the present attempt, but must not revenge past violences: for it is natural for us to defend life and limb, but that an inferior should punish a superior, is against nature. The mischief which is designed them, the people may prevent before it be done; but when it is done, they must not revenge it on the king, though author of the villainy. This therefore is the privilege of the people in general, above what any private person has; that particular men are allowed by our adversaries themselves (Buchanan[2] only excepted) to have no other remedy but patience; but the body of the people may with respect resist intolerable tyranny; for when it is but moderate, they ought to endure it.

§ 234. Thus far that great advocate of monarchical power allows of resistance.

§ 235. It is true, he has annexed two limitations to it, to no purpose: First, He says, it must be with reverence.

Secondly, It must be without retribution, or punishment; and the reason he gives is, because an inferior cannot punish a superior.

First, How to resist force without striking again, or how to strike with reverence, will need some skill to make intelligible. He that shall oppose an assault only with a shield to receive the blows, or in any more respectful posture, without a sword in his hand, to abate the confidence and force of the assailant, will quickly be at an end of his resistance, and will find such a defense serve only to draw on himself the worse usage. This is as ridiculous a way of resisting, as Juvenal thought it of fighting; ubi tu pulsas, ego vapulo tantum.[3] And the success of the combat will be unavoidably the same he there describes it:

> Libertas pauperis haec est:
> Pulsatus rogat, & pugnis concisus, adorat,
> Ut liceat paucis cum dentibus inde reverti.[4]

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[1] *agreeable to* In conformity with.

[2] *Buchanan* George Buchanan (1506–82), Scottish poet and political writer who argued that the monarch's power came from the people, not from divine right.

[3] *ubi tu ... tantum* Latin: when you do all the thrashing and I get all the blows. This and the following quotation are from Juvenal, Roman satirist (60?–140? CE). In his *Third Satire*, this quotation appears at line 289, and the following at lines 299–301.

[4] *Libertas pauperis ... inde reverti* Latin: such is the liberty of the poor man: having been pounded and cuffed into a jelly, he begs and prays to be allowed to return home with a few teeth in his head.

This will always be the event of such an imaginary resistance, where men may not strike again. He therefore who may resist, must be allowed to strike. And then let our author, or anybody else, join a knock on the head, or a cut on the face, with as much reverence and respect as he thinks fit. He that can reconcile blows and reverence, may, for aught I know, desire for his pains, a civil, respectful cudgeling wherever he can meet with it.

Secondly, As to his second, An inferior cannot punish a superior; that is true, generally speaking, while he is his superior. But to resist force with force, being the state of war that levels the parties, cancels all former relation of reverence, respect, and superiority: and then the odds that remains, is, that he, who opposes the unjust aggressor, has this superiority over him, that he has a right, when he prevails, to punish the offender, both for the breach of the peace, and all the evils that followed upon it. Barclay therefore, in another place, more coherently to himself,[1] denies it to be lawful to resist a king in any case. But he there assigns two cases, whereby a king may un-king himself. His words are,

> Quid ergo, nulline casus incidere possunt quibus populo sese erigere atque in regem impotentius dominantem arma capere et invadere jure suo suaque authoritate liceat? Nulli certe quamdiu rex manet. Semper enim ex divinis id obstat, Regem honorificato, et qui potestati resistit, Dei ordinationi resistit; non alias igitur in eum populo potestas est quam si id committat propter quod ipso jure rex esse desinat. Tunc enim se ipse principatu exuit atque in privatis constituit liber; hoc modo populus et superior efficitur, reverso ad eum scilicet jure illo quod ante regem inauguratum in interregno habuit. At sunt paucorum generum commissa ejusmodi quae hunc effectum pariunt. At ego cum plurima animo perlustrem, duo tantum invenio, duos, inquam, casus quibus rex ipso facto ex rege non regem se facit et omni honore et dignitate regali atque in subditos potestate destituit; quorum etiam meminit Winzerus. Horum unus est, si regnum disperdat, quemadmodum de Nerone fertur, quod is nempe senatum populumque Romanum atque adeo urbem ipsam ferro flammaque vastare, ac novas sibi sedes quaerere decrevisset. Et de Caligula, quod palam denunciarit se neque civem neque principem senatui amplius fore, inque animo habuerit, interempto utriusque ordinis electissimo, quoque Alexandriam commigrare, ac ut populum uno ictu interimeret, unam ei cervicem optavit. Talia cum rex aliquis meditatur et molitur serio, omnem regnandi curam et animum ilico abjicit, ac proinde imperium in subditos amittit, ut dominus servi pro derelicto habiti, dominium.
>
> § 236. Alter casus est, si rex in alicujus clientelam se contulit, ac regnum quod liberum a majoribus et populo traditum accepit, alienae ditioni mancipavit. Nam tunc quamvis forte non ea mente id agit populo plane ut incommodet; tamen quia quod praecipuum est regiae dignitatis amisit, ut summus scilicet in regno secundum Deum sit, et solo Deo inferior, atque populum etiam totum ignorantem vel invitum, cujus libertatem sartam et tectam conservare debuit, in alterius gentis ditionem et potestatem dedidit; hac velut quadam rengi abalienatione effecit, ut nec quod ipse in regno imperium habuit retineat, nec in eum cui collatum voluit, juris quicquam transferat, atque ita eo facto liberum jam et suae potestatis populum relinquit, cujus rei exemplum unum annales Scotici suppeditant.—Barclay, *Contra Monarchomachos*, 1. iii., c. 16.

Which in English runs thus:

> § 237. What then, can there no case happen wherein the people may of right, and by their own authority, help themselves, take arms, and set upon their king, imperiously domineering over them? None at all, while he remains a king. "Honor the king," and "He that resists the power, resists the ordinance of God," are divine oracles[2] that will never permit it. The people therefore can never come by a power over him, unless he does something that makes him cease to be a king: for then he divests himself of his crown and dignity, and returns to the state of a private man, and the people become free and superior, the power which they had in the interregnum,[3] before they crowned him king, devolving to them again. But there are but few miscarriages which bring

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[1] *coherently to himself* Consistently.

[2] *oracles* Revelations.

[3] *interregnum* Latin: time between one reign and the next.

the matter to this state. After considering it well on all sides, I can find but two. Two cases there are, I say, whereby a king, ipso facto,[1] becomes no king, and loses all power and regal authority over his people; which are also taken notice of by Winzerus.[2]

The first is, If he endeavor to overturn the government, that is, if he have a purpose and design to ruin the kingdom and commonwealth, as it is recorded of Nero,[3] that he resolved to cut off the senate and people of Rome, lay the city waste with fire and sword, and then remove to some other place. And of Caligula,[4] that he openly declared, that he would be no longer a head to the people or senate, and that he had it in his thoughts to cut off the worthiest men of both ranks, and then retire to Alexandria: and he wished that the people had but one neck, that he might dispatch them all at a blow. Such designs as these, when any king harbors in his thoughts, and seriously promotes, he immediately gives up all care and thought of the commonwealth; and consequently forfeits the power of governing his subjects, as a master does the dominion over his slaves whom he has abandoned.

§ 238. The other case is, When a king makes himself the dependent of another, and subjects his kingdom which his ancestors left him, and the people put free into his hands, to the dominion of another: for however perhaps it may not be his intention to prejudice the people; yet because he has hereby lost the principal part of regal dignity, viz. to be next and immediately under God, supreme in his kingdom; and also because he betrayed or forced his people, whose liberty he ought to have carefully preserved, into the power and dominion of a foreign nation. By this, as it were, alienation of his kingdom, he himself loses the power he had in it before, without transferring any the least right to those on whom he would have bestowed it; and so by this act sets the people free, and leaves them at their own disposal. One example of this is to be found in the *Scotch Annals*.

§ 239. In these cases Barclay, the great champion of absolute monarchy, is forced to allow, that a king may be resisted, and ceases to be a king. That is, in short, not to multiply cases, in whatsoever he has no authority, there he is no king, and may be resisted: for wherever the authority ceases, the king ceases too, and becomes like other men who have no authority. And these two cases he instances in, differ little from those above mentioned, to be destructive to governments, only that he has omitted the principle from which his doctrine flows: and that is, the breach of trust, in not preserving the form of government agreed on, and in not intending the end of government itself, which is the public good and preservation of property. When a king has dethroned himself, and put himself in a state of war with his people, what shall hinder them from prosecuting him who is no king, as they would any other man, who has put himself into a state of war with them, Barclay, and those of his opinion, would do well to tell us. This farther I desire may be taken notice of out of Barclay, that he says, "The mischief that is designed them, the people may prevent before it be done," whereby he allows resistance when tyranny is but in design. "Such designs as these," says he, "when any king harbors in his thoughts and seriously promotes, he immediately gives up all care and thought of the commonwealth," so that, according to him, the neglect of the public good is to be taken as an evidence of such design, or at least for a sufficient cause of resistance. And the reason of all, he gives in these words: "Because he betrayed or forced his people, whose liberty he ought carefully to have preserved." What he adds, "into the power and dominion of a foreign nation," signifies nothing, the fault and forfeiture[5] lying in the loss of their liberty, which he ought to have preserved, and not in any distinction of the persons to whose dominion they were subjected. The people's right is equally invaded, and their liberty lost, whether they are made slaves to any of their own, or a foreign nation; and in this lies the injury, and against this only have they the right of defense. And there are instances to be found in all countries, which show, that it is not the change of nations in the persons of their governors, but the change of government, that gives the offence. Bilson,[1] a bishop of our church, and a great stickler for the power and prerogative of princes, does, if I mistake not, in his treatise of Christian subjection, acknowledge, that princes may forfeit their power, and their title to the obedience of their subjects; and if there needed authority in a case where reason is so plain, I could send my reader to Bracton, Fortescue, and the author of the Mirrour,[2] and others, writers that cannot be suspected to be ignorant of our government, or enemies to it. But I thought Hooker alone might be enough to satisfy those men, who relying on him for their ecclesiastical polity,[3] are by a strange fate carried to deny those principles upon which he builds it. Whether they are herein made the tools of more cunning workmen, to pull down their own fabric, they were best look.[4] This I am sure, their civil policy is so new, so dangerous, and so destructive to both rulers and people, that as former ages never could bear the broaching[5] of it; so it may be hoped, those to come, redeemed[6] from the impositions of these Egyptian under-task-masters,[7] will abhor the memory of such servile flatterers, who, while it seemed to serve their turn, resolved[8] all government into absolute tyranny, and would have all men born to, what their mean souls fitted them for, slavery.

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[1] *ipso facto* Latin: as a result of that fact in particular.

[2] *Winzerus* Ninian Winzet (c. 1518–92), Scottish Benedictine Abbot, author of pamphlets replying to Barclay, defending the power of the (constitutional) monarch.

[3] *Nero* Nero Claudius Caesar (37–68), emperor of Rome, with a very bad reputation: thought to have murdered his mother, wife, and mistress, to have set fire to Rome, etc.

[4] *Caligula* Gaius Julius Caesar Germanicus (12–41), Roman emperor with a reputation for madness and misrule.

[5] *forfeiture* Transgression, crime.

§ 240. Here, it is like,[9] the common question will be made,[10] "Who shall be judge, whether the prince or legislative act contrary to their trust?" This, perhaps, ill-affected and factious men may spread among the people, when the prince only makes use of his due prerogative. To this I reply, The people shall be judge; for who shall be judge whether his trustee or deputy acts well, and according to the trust reposed in him, but he who deputes him, and must, by having deputed him, have still a power to discard him, when he fails in his trust? If this be reasonable in particular cases of private men, why should it be otherwise in that of the greatest moment, where the welfare of millions is concerned, and also where the evil, if not prevented, is greater, and the redress very difficult, dear, and dangerous?

§ 241. But farther, this question, ("Who shall be judge?") cannot mean, that there is no judge at all: for where there is no judicature on earth, to decide controversies among men, God in heaven is judge. He alone, it is true, is judge of the right. But every man is judge for himself, as in all other cases, so in this, whether another has put himself into a state of war with him, and whether he should appeal to the Supreme Judge, as Jephtha did.

§ 242. If a controversy arise betwixt a prince and some of the people, in a matter where the law is silent, or doubtful, and the thing be of great consequence, I should think the proper umpire, in such a case, should be the body of the people: for in cases where the prince has a trust reposed in him, and is dispensed from[11] the common ordinary rules of the law; there, if any men find themselves aggrieved, and think the prince acts contrary to, or beyond that trust, who so proper to judge as the body of the people, (who, at first, lodged that trust in him) how far they meant it should extend? But if the prince, or whoever they be in the administration, decline that way of determination, the appeal then lies nowhere but to heaven; force between either persons, who have no known superior on earth, or which permits no appeal to a judge on earth, being properly a state of war, wherein the appeal lies only to heaven; and in that state the injured party must judge for himself, when he will think fit to make use of that appeal, and put himself upon it.

§ 243. To conclude, The power that every individual gave the society, when he entered into it, can never revert to the individuals again, as long as the society lasts, but will always remain in the community; because without this there can be no community, no commonwealth, which is contrary to the original agreement: so also when the society has placed the legislative in any assembly of men, to continue in them and their successors, with direction and authority for providing such successors, the legislative can never revert to the people while that government lasts; because having provided a legislative with power to continue forever, they have given up their political power to the legislative, and cannot resume it. But if they have set limits to the duration of their legislative, and made this supreme power in any person, or assembly, only temporary; or else, when by the miscarriages of those in authority, it is forfeited; upon the forfeiture, or at the determination of the time set, it reverts to the society, and the people have a right to act as supreme, and continue the legislative in themselves; or erect a new form, or under the old form place it in new hands, as they think good.

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[1] *Bilson* Thomas Bilson (c. 1546–1616), author of *The True Difference between Christian Subjection and Unnatural Rebellion* (1586), which argued that, despite the fact that subjects must submit to royal authority in general, in certain cases revolt against this authority is justified.

[2] *Bracton, Fortescue, and the author of the Mirrour* Henry de Bracton (d. 1268), English lawyer, argued in *De legibus et consuetudinibus Angliae* (1569) that the king is supreme ruler in his realm, but subject to law; Sir John Fortescue (1394–1476) wrote several books defending the idea that laws required consent of both king and people; the editor and principal contributor to *The Mirror for Magistrates* (1559) was William Baldwin; it is a collection of poems about the downfall of historical rulers, intended to warn against abuse of power.

[3] *ecclesiastical polity* Principles of governance of the church.

[4] *they were best look* They had better watch out.

[5] *broaching* Bringing up a difficult matter.

[6] *redeemed* Set free.

[7] *Egyptian under-task-masters* Locke metaphorically refers to the slave-drivers under whom the Israelites labored while in captivity in Egypt.

[8] *resolved* Transformed.

[9] *like* Likely.

[10] *made* Asked.

[11] *dispensed from* Released from, not covered by.

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from A Letter Concerning Toleration (1689)

Honored Sir,

Since you are pleased to inquire what are my thoughts about the mutual toleration of Christians in their different professions of[1] religion, I must needs[2] answer you freely that I esteem that toleration to be the chief characteristic mark of the true Church. For whatsoever some people boast of the antiquity of places and names, or of the pomp of their outward worship; others, of the reformation of their discipline; all, of the orthodoxy of their faith—for everyone is orthodox to himself—these things, and all others of this nature, are much rather marks of men striving for power and empire over one another than of the Church of Christ. Let anyone have never so true a claim to all these things,[3] yet if he be destitute of charity, meekness, and good-will in general towards all mankind, even to those that are not Christians, he is certainly yet short of being a true Christian himself. "The kings of the Gentiles exercise leadership over them," said our Saviour to his disciples, "but ye shall not be so."[4] The business of true religion is quite another thing. It is not instituted in order to the erecting of an external pomp, nor to the obtaining of ecclesiastical dominion,[5] nor to the exercising of compulsive[6] force, but to the regulating of men's lives, according to the rules of virtue and piety.... If the Gospel and the apostles may be credited, no man can be a Christian without charity and without that faith which works, not by force, but by love. Now, I appeal to the consciences of those that persecute, torment, destroy, and kill other men upon pretence of religion, whether they do it out of friendship and kindness towards them or no? And I shall then indeed, and not until then, believe they do so, when I shall see those fiery zealots correcting, in the same manner, their friends and familiar acquaintance for the manifest[7] sins they commit against the precepts of the Gospel; when I shall see them persecute with fire and sword the members of their own communion[8] that are tainted with enormous vices and without amendment are in danger of eternal perdition;[9] and when I shall see them thus express their love and desire of the salvation of their souls by the infliction of torments and exercise of all manner of cruelties....

The toleration of those that differ from others in matters of religion is so agreeable to[10] the Gospel of Jesus Christ, and to the genuine reason of mankind, that it seems monstrous for men to be so blind as not to perceive the necessity and advantage of it in so clear a light. I will not here tax[11] the pride and ambition of some, the passion and uncharitable zeal of others. These are faults from which human affairs can perhaps scarce[12] ever be perfectly freed; but yet such as nobody will bear the plain imputation of, without covering them with some specious color;[13] and so pretend to[14] commendation, whilst they are carried away by their own irregular passions. But, however, that some may not color their spirit of persecution and unchristian cruelty with a pretence of care of the public weal[15] and observation of the laws; and that others, under pretence of religion, may not seek impunity[1] for their libertinism and licentiousness;[2] in a word, that none may impose either upon himself or others, by the pretences of loyalty and obedience to the prince, or of tenderness and sincerity in the worship of God; I esteem it above all things necessary to distinguish exactly the business of civil government from that of religion and to settle the just bounds that lie between the one and the other.[3] If this be not done, there can be no end put to the controversies that will be always arising between those that have, or at least pretend to have, on the one side, a concernment[4] for the interest of men's souls, and, on the other side, a care of the commonwealth.

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[1] *professions of* Declarations of belief in.

[2] *must needs* Must.

[3] *Let anyone ... all these things* Despite the truth of these claims.

[4] *The kings ... not be so* Luke 22.25.

[5] *ecclesiastical dominion* Rule by the church.

[6] *compulsive* Powerful.

[7] *manifest* Obvious.

[8] *communion* Religious group.

[9] *perdition* Damnation.

[10] *agreeable to* In harmony with.

[11] *tax* Determine the extent of.

[12] *scarce* Scarcely.

[13] *covering them with some specious color* Making them appear something they are not.

[14] *pretend to* Make a dubious claim for.

[15] *weal* Welfare.

The commonwealth seems to me to be a society of men constituted only for the procuring, preserving, and advancing their own civil interests.

Civil interests I call life, liberty, health, and indolency[5] of body; and the possession of outward things, such as money, lands, houses, furniture, and the like.

It is the duty of the civil magistrate, by the impartial execution of equal laws, to secure unto all the people in general and to every one of his subjects in particular the just possession of these things belonging to this life. If anyone presume to violate the laws of public justice and equity, established for the preservation of those things, his presumption[6] is to be checked by the fear of punishment, consisting of the deprivation or diminution of those civil interests, or goods, which otherwise he might and ought to enjoy.[7] But seeing[8] no man does willingly suffer[9] himself to be punished by the deprivation of any part of his goods, and much less of his liberty or life, therefore, is the magistrate armed with the force and strength of all his subjects, in order to the punishment of those[10] that violate any other man's rights.

Now that the whole jurisdiction of the magistrate reaches only to these civil concernments, and that all civil power, right and dominion, is bounded and confined to the only care of promoting these things; and that it neither can nor ought in any manner to be extended to the salvation of souls, these following considerations seem unto me abundantly to demonstrate.

First, because the care of souls is not committed to the civil magistrate, any more than to other men. It is not committed unto him, I say, by God; because it appears not that God has ever given any such authority to one man over another as to compel anyone to his religion. Nor can any such power be vested in[11] the magistrate by the consent of the people, because no man can so far abandon the care of his own salvation as blindly to leave to the choice of any other, whether prince or subject, to prescribe to him what faith or worship he shall embrace. For no man can, if he would, conform his faith to the dictates of another. All the life and power of true religion consist in the inward and full persuasion of the mind; and faith is not faith without believing. Whatever profession we make, to whatever outward worship we conform, if we are not fully satisfied in our own mind that the one is true and the other well pleasing unto God, such profession and such practice, far from being any furtherance, are indeed great obstacles to our salvation. For in this manner, instead of expiating[12] other sins by the exercise of religion, I say, in offering thus unto God Almighty such a worship as we esteem to be displeasing unto Him, we add unto the number of our other sins those also of hypocrisy and contempt of His Divine Majesty.

In the second place, the care of souls cannot belong to the civil magistrate, because his power consists only in outward force; but true and saving religion consists in the inward persuasion of the mind, without which nothing can be acceptable to God. And such is the nature of the understanding, that it cannot be compelled to the belief of anything by outward force. Confiscation of estate, imprisonment, torments, nothing of that nature can have any such efficacy as to make men change the inward judgment that they have framed of things.

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[1] *impunity* Freedom from punishment.

[2] *libertinism and licentiousness* Living without moral restraint, especially in sexual matters.

[3] *I esteem it ... the other* The beginning of this sentence means: To prevent some people from disguising their spirit of persecution and unchristian charity by pretending to be religious, and to prevent others from avoiding blame for their immoral pleasure-seeking under cover of religion—in short, so that nobody should enforce their will on others, by insincere claims of loyalty and obedience to the prince or of claiming kindness and sympathy in the worship of God—I judge that it is necessary above all....

[4] *concernment* Concern.

[5] *indolency* Freedom from pain; rest, ease.

[6] *presumption* Arrogance.

[7] *enjoy* See note about this word, which occurs frequently here, in the section called "Some Useful Background Information," in the introduction to Locke.

[8] *seeing* Since.

[9] *suffer* Allow.

[10] *to the punishment of those* To punish those.

[11] *be vested in* Be granted to.

[12] *expiating* Atoning for.

It may indeed be alleged that the magistrate may make use of arguments, and, thereby; draw the heterodox[1] into the way of truth, and procure their salvation. I grant it; but this is common to him with other men. In teaching, instructing, and redressing the erroneous by reason, he may certainly do what becomes[2] any good man to do. Magistracy[3] does not oblige him to put off either humanity or Christianity; but it is one thing to persuade, another to command; one thing to press with arguments, another with penalties. This civil power alone has a right to do; to the other, goodwill is authority enough. Every man has commission[4] to admonish, exhort, convince another of error, and, by reasoning, to draw him into truth; but to give laws, receive obedience, and compel with the sword, belongs to none but the magistrate. And, upon this ground, I affirm that the magistrate's power extends not to the establishing of any articles of faith, or forms of worship, by the force of his laws. For laws are of no force at all without penalties, and penalties in this case are absolutely impertinent,[5] because they are not proper to convince the mind. Neither the profession of any articles of faith, nor the conformity to any outward form of worship (as has been already said), can be available to the salvation of souls, unless the truth of the one and the acceptableness of the other unto God be thoroughly believed by those that so profess and practice. But penalties are no way capable to produce such belief. It is only light and evidence that can work a change in men's opinions; which light can in no manner proceed from corporal[6] sufferings, or any other outward penalties.

In the third place, the care of the salvation of men's souls cannot belong to the magistrate; because, though[7] the rigor of laws and the force of penalties were capable to convince and change men's minds, yet would not that help at all to the salvation of their souls. For there being but one truth, one way to heaven, what hope is there that more men would be led into it if they had no rule but the religion of the court and were put under the necessity to quit the light of their own reason, and oppose the dictates of their own consciences, and blindly to resign themselves up to the will of their governors and to the religion which either ignorance, ambition, or superstition had chanced to establish in the countries where they were born? In the variety and contradiction of opinions in religion, wherein the princes of the world are as much divided as in their secular interests, the narrow way would be much straitened;[8] one country alone would be in the right, and all the rest of the world put under an obligation of following their princes in the ways that lead to destruction; and that which heightens the absurdity, and very ill suits the notion of a Deity, men would owe their eternal happiness or misery to the places of their nativity.[9]

These considerations, to omit many others that might have been urged to the same purpose, seem unto me sufficient to conclude that all the power of civil government relates only to men's civil interests, is confined to the care of the things of this world, and hath nothing to do with the world to come.[10]

Let us now consider what a church is. A church, then, I take to be a voluntary society of men, joining themselves together of their own accord in order to the public worshipping of God in such manner as they judge acceptable to Him, and effectual to the salvation of their souls.

I say it is a free and voluntary society. Nobody is born a member of any church; otherwise the religion of parents would descend unto children by the same right of inheritance as their temporal[11] estates, and everyone would hold his faith by the same tenure[12] he does his lands, than which nothing can be imagined more absurd. Thus, therefore, that matter stands. No man by nature is bound unto any particular church or sect, but everyone joins himself voluntarily to that society in which he believes he has found that profession and worship which is truly acceptable to God. The hope of salvation, as it was the only cause of his entrance into that communion, so it can be the only reason of his stay there. For if afterwards he discover anything either erroneous in the doctrine or incongruous[13] in the worship of that society to which he has joined himself, why should it not be as free for him to go out as it was to enter? No member of a religious society can be tied with any other bonds but what proceed from the certain expectation of eternal life. A church, then, is a society of members voluntarily uniting to that end.

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[1] *the heterodox* Those disagreeing with standardly established views.

[2] *becomes* Is appropriate for.

[3] *Magistracy* Position in the executive of the government.

[4] *commission* Authority.

[5] *impertinent* Irrelevant.

[6] *corporal* Bodily.

[7] *though* Even if.

[8] *much straitened* Made much more narrow. The reference here is to Matthew 7.13–14: "Enter ye in by the narrow gate: for wide is the gate, and broad is the way, that leads to destruction, and many are they that enter in thereby. For narrow is the gate, and straitened the way, that leads unto life, and few are they that find it."

[9] *nativity* Birth.

[10] *the world to come* The afterlife.

[11] *temporal* Of this world—material as opposed to spiritual.

[12] *tenure* Property right.

[13] *incongruous* Unsuitable.

It follows now that we consider what is the power of this church and unto what laws it is subject.

Forasmuch as no society, however free, or upon whatsoever slight occasion instituted, whether of philosophers for learning, of merchants for commerce, or of men of leisure for mutual conversation and discourse, no church or company, I say, can in the least subsist and hold together, but will presently dissolve and break in pieces, unless it be regulated by some laws, and the members all consent to observe some order.[1] Place and time of meeting must be agreed on; rules for admitting and excluding members must be established; distinction of officers, and putting things into a regular course, and suchlike, cannot be omitted. But since the joining together of several members into this church-society, as has already been demonstrated, is absolutely free and spontaneous, it necessarily follows that the right of making its laws can belong to none but the society itself; or, at least (which is the same thing), to those whom the society by common consent has authorized thereunto.

Some, perhaps, may object that no such society can be said to be a true church unless it have in it a bishop or presbyter,[2] with ruling authority derived from the very apostles, and continued down to the present times by an uninterrupted succession.

To these I answer: In the first place, let them show me the edict by which Christ has imposed that law upon His Church. And let not any man think me impertinent, if in a thing of this consequence I require that the terms of that edict be very express and positive;[3] for the promise He has made us, that "wheresoever two or three are gathered together in His name, He will be in the midst of them,"[4] seems to imply the contrary. Whether such an assembly want anything necessary to a true church, pray do you consider.[5] Certain I am that nothing can be there wanting unto[6] the salvation of souls, which is sufficient to our purpose.

Next, pray observe how great have always been the divisions amongst even those who lay so much stress upon the Divine institution and continued succession of a certain order of rulers in the Church. Now, their very dissension unavoidably puts us upon a necessity of deliberating and, consequently, allows a liberty of choosing that which upon consideration we prefer.

And, in the last place, I consent that these men have a ruler in their church, established by such a long series of succession as they judge necessary, provided I may have liberty at the same time to join myself to that society in which I am persuaded those things are to be found which are necessary to the salvation of my soul. In this manner ecclesiastical liberty will be preserved on all sides, and no man will have a legislator imposed upon him but whom himself has chosen....

The end of a religious society (as has already been said) is the public worship of God and, by means thereof, the acquisition of eternal life. All discipline ought, therefore, to tend to that end, and all ecclesiastical laws to be thereunto confined. Nothing ought nor can be transacted in this society relating to the possession of civil and worldly goods. No force is here to be made use of upon any occasion whatsoever. For force belongs wholly to the civil magistrate, and the possession of all outward goods is subject to his jurisdiction....

Another more secret evil, but more dangerous to the commonwealth, is when men arrogate to themselves, and to those of their own sect, some peculiar prerogative covered over with a specious show of deceitful words, but in effect opposite to the civil right of the community. For example: we cannot find any sect that teaches, expressly and openly, that men are not obliged to keep their promise; that princes may be dethroned by those that differ from them in religion; or that the dominion of all things belongs only to themselves. For these things, proposed thus nakedly and plainly, would soon draw on them the eye and hand of the magistrate and awaken all the care of the commonwealth to a watchfulness against the spreading of so dangerous an evil. But, nevertheless, we find those that say the same things in other words. What else do they mean who teach that faith is not to be kept with heretics? Their meaning, forsooth, is that the privilege of breaking faith belongs unto themselves; for they declare all that are not of their communion to be heretics, or at least may declare them so whensoever they think fit. What can be the meaning of their asserting that kings excommunicated forfeit their crowns and kingdoms? It is evident that they thereby arrogate[1] unto themselves the power of deposing kings, because they challenge the power of excommunication, as the peculiar right of their hierarchy. That dominion is founded in grace is also an assertion by which those that maintain it do plainly lay claim to the possession of all things. For they are not so wanting to themselves as not to believe, or at least as not to profess themselves to be the truly pious and faithful. These, therefore, and the like, who attribute unto the faithful, religious, and orthodox, that is, in plain terms, unto themselves, any peculiar privilege or power above other mortals, in civil concernments; or who upon pretence of religion do challenge any manner of authority over such as are not associated with them in their ecclesiastical communion, I say these have no right to be tolerated by the magistrate; as neither those that will not own and teach the duty of tolerating all men in matters of mere religion. For what do all these and the like doctrines signify, but that they may and are ready upon any occasion to seize the Government and possess themselves of the estates and fortunes of their fellow subjects; and that they only ask leave to be tolerated by the magistrate so long until they find themselves strong enough to effect it?

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[1] *I say ... order* This sentence means: "Since no society—whether of philosophers ... merchants ... or men of leisure ... —however free it is, and no matter how trivial the reason for its organization—no church or company can last and hold together, but instead will break up, if it is not regulated...."

[2] *presbyter* Church official.

[3] *express and positive* Stated clearly, directly, unambiguously.

[4] *wheresoever ... midst of them* Matthew 18.20.

[5] *Whether such an assembly ... consider* This sentence means: "Please consider whether such a group lacks anything necessary for a true church."

[6] *wanting unto* Lacking for.

Again: That Church can have no right to be tolerated by the magistrate which is constituted upon such a bottom that all those who enter into it do thereby *ipso facto*[2] deliver themselves up to the protection and service of another prince. For by this means the magistrate would give way to the settling of a foreign jurisdiction in his own country and suffer his own people to be listed, as it were, for soldiers against his own Government. Nor does the frivolous and fallacious distinction between the Court and the Church afford any remedy to this inconvenience; especially when both the one and the other are equally subject to the absolute authority of the same person, who has not only power to persuade the members of his Church to whatsoever he lists, either as purely religious, or in order thereunto, but can also enjoin it them on pain of eternal fire. It is ridiculous for any one to profess himself to be a Mahometan[3] only in his religion, but in everything else a faithful subject to a Christian magistrate, whilst at the same time he acknowledges himself bound to yield blind obedience to the Mufti[4] of Constantinople, who himself is entirely obedient to the Ottoman Emperor and frames the feigned oracles of that religion according to his pleasure. But this Mahometan living amongst Christians would yet more apparently renounce their government if he acknowledged the same person to be head of his Church who is the supreme magistrate in the state.

Lastly, those are not at all to be tolerated who deny the being of a God. Promises, covenants, and oaths, which are the bonds of human society, can have no hold upon an atheist. The taking away of God, though but even in thought, dissolves all; besides also, those that by their atheism undermine and destroy all religion, can have no pretence of religion whereupon to challenge the privilege of a toleration. As for other practical opinions, though not absolutely free from all error, if they do not tend to establish domination over others, or civil impunity to the Church in which they are taught, there can be no reason why they should not be tolerated.

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[1] *arrogate* Assign illegitimately.

[2] *ipso facto* Latin: by that very fact.

[3] *Mahometan* Muslim.

[4] *Mufti* Islamic scholar who interprets Islamic law (sharia).

MARY ASTELL
(1666 – 1731)

Mary Astell is now best known for her famous rhetorical question in the 1706 Preface to *Some Reflections upon Marriage*: "If all men are born free, how is it that all women are born slaves?" These well-chosen words have earned her a place not only in the feminist canon, but also the Republican one, as a theorist of "freedom from domination." Prior to her recent resurrection she was best known as the author of *A Serious Proposal*, which advocates a Platonist academy for women, a project which would have attracted the support of Queen Anne, to whom it was dedicated, were it not that the ridicule to which it was subjected made it too politically risky. As a promoter of women's causes, and particularly women's education, Astell has frequently been depicted in literature: she is said to have been the model for the protagonist of Samuel Richardson's landmark novel *Clarissa*; and, as late as 1847, Lilia, of Alfred, Lord Tennyson's *The Princess*, dreams of a women's college cut off from male society, over whose gates the inscription would read, "Let no man enter on pain of death." A truncated version of the famous inscription that adorned the doors of Plato's Academy, "Let No Man Enter Here Unless He Study Mathematics," this slogan was to be famously lampooned in Gilbert and Sullivan's *Princess Ida*, also based on Astell's *Proposal*.

It is noteworthy that Astell, who has been deemed "England's First Feminist," has only recently been readmitted to the canon of philosophers and political commentators, in which she held a prominent place in the eighteenth and nineteenth centuries. The twentieth-century reception of Astell's works focuses on her proto-feminist critique of the condition of women. Her proto-feminism sits uneasily with her Anglican High Church and Tory views, however, and modern commentary on her work has rarely done justice to the full range of her thought, or treated in sufficient detail her substantive arguments.

Debate over the reception of Locke's anonymously published *Two Treatises of Government* (1690), for instance, has never given Astell her due. Her argument, in the first edition of *Some Reflections upon Marriage* (1700), that the very men who press for liberty in the public sphere are the first to exempt themselves from constraints on the exercise of their power at home, is an important anticipation of the argument mounted against the social contract theory of "Great L—k in his *Two Discourses of Government*" by Charles Leslie in 1703. It is an argument that Astell develops in high style in her famous 1706 Preface to *Some Reflections upon Marriage*. Not only does her critique pre-date that of Leslie (having been introduced in *Some Reflections upon Marriage* as early as 1700, and also made implicitly in *A Serious Proposal, Part 2*); it is also more trenchant than his. Nor is this the only instance of Leslie receiving undue credit for ideas that originated with Astell. In *A Fair Way with the Dissenters and their Patrons* (1704), she bitterly protested against Leslie getting credit for her earlier pamphlet of that year, *Moderation Truly Stated* (evidence enough, were any needed, that women in her era who were obliged to publish anonymously could often be plagiarized at will).

Astell's *Proposal* made her famous, and eventually ran to five editions. But for every George Wheler, who gave unqualified acknowledgment to Astell's influence in *A Protestant Monastery* of 1698, there were ten who stole her ideas without acknowledgement and then satirized her to cover their tracks. Gilbert Burnet (1643–1705), Bishop of Salisbury, while arguing that Astell's project was too monastic, himself proposed that, for women, "something like Monasteries without Vows ... would be a glorious design." Daniel Defoe (1661?–1731), although expressing admiration for Astell's proposal, argued against it on account of women's incorrigible levity, and then put forward his own proposal for an "Academy for Women" (1697) which differed in no significant aspects from hers. Richard Steele (1672–1729), Irish essayist, dramatist and politician, lampooned Astell in *The Tatler* as the founder of an "order of Platonick Ladies ... who ... gave out, that their Virginity was to be their State of Life during their Mortal condition, and therefore resolv'd to join their Fortunes and erect a Nunnery." Even the stage did not spare her. Susanna Centlivre (c. 1667–1723) in her play, *The Basset Table* (1706), has Valeria, "that little She-Philosopher" (doubtless modeled on Astell) "founding a College for the Study of Philosophy where none but Women should be admitted."

Astell has outlasted her critics and is now increasingly recognized as the author of perhaps the first systematic critique of Locke. Her *Some Reflections upon Marriage* (1700) presents a highly original critique of patriarchalism and contractarianism in the thought of Locke (and Hobbes). To Locke's claim that the monarch does not have absolute sovereignty and that men have the right to rebel against tyranny, she places the analogy of the *husband's sovereignty.* Ironically, she argues *for* absolute sovereignty, both of the state and in the family. But, at the same time, she argues that women should not marry. This argument anticipates feminist critiques of the distinction between the public and private spheres, while her recommendation that women form a separate sphere and that they not marry anticipates radical feminism.

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Some Reflections upon Marriage (1700)

from *Preface*

These *Reflections* being made in the country, where the book that occasioned them came but late to hand,[1] the *Reader* is desired to excuse their unseasonableness[2] as well as other faults; and to believe that they have no other design than to correct some abuses, which are not the less because power and prescription[3] seem to authorize them. If any is so needlessly curious as to enquire from what hand they come,[4] they may please to know, that it is not good manners to ask, since the title-page does not tell them: we are all of us sufficiently vain, and without doubt the celebrated name of *Author*, which most are so fond of, had not been avoided but for very good reasons: To name but one; *who will care to pull upon themselves a hornet's nest?* 'Tis a very great fault to regard rather who it is that speaks, than what is spoken; and either to submit to authority, when we should only yield to reason; or if reason press too hard, to think to ward it off by personal objections and reflections. Bold truths may pass while the speaker is *incognito*,[5] but are not endured when he is known; few minds being strong enough to bear what contradicts their principles and practices without recriminating[6] when they can. And though to tell the truth be the most friendly office,[7] yet whosoever is so hardy as to venture at it, shall be counted an enemy for so doing.

Thus far the old Advertisement, when the Reflections first appeared, A.D. 1700.

But the Reflector[8] who hopes Reflector is not bad English, now governor is happily of the feminine gender,[9] had as good or better have said nothing; for people by being forbid, are only excited to a more curious enquiry. A certain ingenious gentleman (as she is informed) had the good-nature to own these Reflections, so far as to affirm that he had the original ms.[10] in his closet, a proof she is not able to produce; and so to make himself responsible for all their faults, for which she returns him all due acknowledgment. However, the generality being of opinion, that a man would have had more prudence and manners than to have published such unseasonable truths, or to have betrayed the *arcana imperii*[11] of his sex, she humbly confesses, that the contrivance[12] and execution of this design, which is unfortunately accused of being so destructive to the government, of the men I mean, is entirely her own. She neither advised with friends, nor turned over ancient or modern authors, nor prudently submitted to the correction of such as are, or such as think they are good judges, but with an English spirit and genius, set out upon the forlorn hope,[13] meaning no hurt to any body, nor designing any thing but the public good, and to retrieve, if possible, the native liberty, the rights and privileges of the subject.[14]

Far be it from her to stir up sedition of any sort, none can abhor it more; and she heartily wishes that our masters would pay their civil and ecclesiastical governors the same submission, which they themselves exact from their domestic subjects. Nor can she imagine how she any way undermines the masculine empire, or blows the trumpet of rebellion to the moiety[15] of mankind. Is it by exhorting women, not to expect to have their own will in any thing, but to be entirely submissive, when once they have made choice of a lord and master, though he happen not to be so wise, so kind, or even so just a governor as was expected? She did not indeed advise them to think his folly wisdom, nor his brutality that love and worship he promised in his matrimonial oath, for this required a flight of wit and sense much above her poor ability, and proper only to masculine understandings. However she did not in any manner prompt them to resist, or to abdicate[1] the perjured spouse, though, the laws of God and the land make special provision for it, in a case wherein, as is to be feared, few men can truly plead not guilty.

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[1] *the book ... late to hand* This is one of a number of references in this excerpt to writers and books that Astell has left unidentified. An impressive job of locating their sources has been done by Patricia Springborg, editor of the definitive collection of Astell's work, *Political Writings*, 1996.

[2] *unseasonableness* Unsuitability, inappropriateness.

[3] *prescription* Long-standing custom, regarded as authoritative.

[4] *from what hand they come* Who wrote them.

[5] *incognito* With disguised identity.

[6] *recriminating* Accusing the accuser.

[7] *friendly office* Helpful, kindly service.

[8] *Reflector* Astell means herself.

[9] *governor ... feminine gender* Because the ruler of England was then female.

[10] *ms.* Manuscript.

[11] *arcana imperii* Latin: state secrets.

[12] *contrivance* Plotting.

[13] *forlorn hope* A dangerous or hopeless venture.

[14] *subject* Citizen in a monarchy.

[15] *the moiety* Half.

'Tis true, through want of learning, and of that superior genius which men as men lay claim to, she was ignorant of the natural inferiority of our sex, which our masters lay down as a self-evident and fundamental truth. She saw nothing in the reason of things, to make this either a principle or a conclusion, but much to the contrary; it being sedition at least, if not treason to assert it in this reign.[2] For if by the natural superiority of their sex, they mean that *every* man is by nature superior to *every* woman, which is the obvious meaning, and that which must be stuck to if they would speak sense, it would be a sin in *any* woman to have dominion over *any* man, and the greatest queen ought not to command but to obey her footman, because no municipal laws can supersede or change the law of nature; so that if the dominion of the men be such, the *Salique Law*[3] as unjust as English men have ever thought it, ought to take place over all the Earth, and the most glorious reigns in the English, Danish, Castilian, and other annals,[4] were wicked violations of the law of nature!

If they mean that *some* men are superior to *some* women this is no great discovery; had they turned the tables they might have seen that *some* women are superior to *some* men. Or had they been pleased to remember their Oaths of Allegiance and Supremacy,[5] they might have known that *one* woman is superior to *all* the men in these nations, or else they have sworn to very little purpose. And it must not be supposed, that their reason and religion would suffer them to take oaths, contrary to the law of nature and reason of things.

By all which it appears, that our Reflector's ignorance is very pitiable, it may be her misfortune but not her crime, especially since she is willing to be better informed, and hopes she shall never be so obstinate as to shut her eyes against the light of truth, which is not to be charged with novelty, how late soever we may be blessed with the discovery. Nor can error, be it as ancient as it may, ever plead prescription against truth. And since the only way to remove all doubts, to answer all objections, and to give the mind entire satisfaction, is not by *affirming*, but by *proving*, so that every one may see with their own eyes, and judge according to the best of their *own* understandings, she hopes it is no presumption to insist on this natural right of judging for her self, and the rather, because by quitting it, we give up all the means of rational conviction. Allow us then as many glasses as you please to help our sight, and as many good arguments as you can afford to convince our understandings: But don't exact of us we beseech you, to affirm that we see such things as are only the discovery of men who have quicker senses; or that we understand and know what we have by hear-say only; for to be so excessively complaisant is neither to see nor to understand.

That the custom of the world has put women, generally speaking, into a state of subjection, is not denied; but the right can no more be proved from the fact, than the predominancy of vice can justify it. A certain great man has endeavored to prove by reasons not contemptible, that in the original state of things the woman was the superior, and that her subjection to the man is an effect of the Fall,[6] and the punishment of her sin. And that ingenious theorist Mr. Whiston asserts, that before the Fall there was a greater equality between the two sexes. However this be 'tis certainly no arrogance in a woman to conclude, that she was made for the service of God, and that this is her end. Because God made all things for Himself, and a rational mind is too noble a being to be made for the sake and service of any creature. The service she at any time becomes obliged to pay to a man, is only a business by the bye.[7] Just as it may be any man's business and duty to keep hogs; he was not made for this, but if he hires himself out to such an employment, he ought conscientiously to perform it. Nor can anything be concluded to the contrary from St. Paul's argument, 1 Corinthians 11. For he argues only for decency and order, according to the present custom and state of things. Taking his words strictly and literally, they prove too much, in that praying and prophesying in the Church are allowed the women, provided they do it with their head covered, as well as the men; and no inequality can be inferred from hence, neither from the gradation the Apostle there uses, that "the head of every man is Christ, and that the head of the woman is the man, and the head of Christ is God";[1] It being evident from the Form of baptism, that there is no natural inferiority among the Divine Persons, but that they are in all things coequal. The Apostle indeed adds, that "the man is the glory of God, and the woman the glory of the man,"[2] etc. But what does he infer from hence? he says not a word of inequality, or natural inferiority, but concludes, that a woman ought to cover her head, and a man ought not to cover his, and that "even nature itself teaches" us, that "if a man have long hair it is a shame unto him."[3]

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[1] *abdicate* Cut (themselves) off from.

[2] *in this reign* Here (or now).

[3] *Salique Law* The Salic Law was a wide-ranging code of laws originating in sixth-century France and important in various ways thereafter; its most famous and influential provision, to which Astell refers here, was the prohibiting of a female occupying the throne.

[4] *annals* Histories. Elizabeth I of England, Margaret I of Denmark, and Isabella I of Castile were all acknowledged to have been among the most important monarchs in their respective nations' histories.

[5] *Oaths of Allegiance and Supremacy* Oaths sworn to the Queen.

[6] *Fall* The original sin committed by Adam and Eve in the Christian tradition.

[7] *business by the bye* Matter of secondary importance.

Whatever the Apostle's argument proves in this place nothing can be plainer, than that there is much more said against the present fashion of men's wearing long hair, than for that supremacy they lay claim to. For by all that appears in the text, it is not so much a law of nature, that women should obey men, as that men should not wear long hair. Now how can a Christian nation allow fashions contrary to the law of nature, forbidden by an Apostle and declared by him to be a shame to man? Or if custom may make an alteration in one case it may in another, but what then becomes of the nature and reason of things? Besides, the conclusion the Apostle draws from his argument concerning women, viz.[4] that they "should have power on their heads because of the angels"[5] is so very obscure a text, that that ingenious paraphrast who pleads so much for the natural subjection of women, ingenuously confesses, that he does not understand it. Probably it refers to some custom among the Corinthians, which being well known to them the Apostle only hints at it, but which we are ignorant of, and therefore apt to mistake him. 'Tis like that the false Apostle whom St. Paul writes against had led *captive* some of their rich and powerful but silly women[6] who having as mean an opinion of the reason God had given them, as any deceiver could desire, did not like the noble minded Bereans, search the Scriptures whether those things were so,[7] but lazily took up with having men's persons in admiration, and followed their leaders blindfold, the certain rout to destruction. And it is also probable that the same cunning seducer, employed these women to carry on his own designs and putting them upon what he might not think fit to appear in himself, made them guilty of indecent behavior in the church of Corinth. And therefore St. Paul thought it necessary to reprove them so severely in order to humble them, but this being done, he takes care in the conclusion to set the matter on a right foot, placing the two sexes on a level, to keep men as much as might be, from taking those advantages which people who have strength in their hands, are apt to assume over those who can't contend with them. For, says he, nevertheless, or notwithstanding the former argument, the man is not without the woman, nor the woman without the man, but all things of God.[8] The relation between the two sexes is mutual, and the dependence reciprocal, both of them depending entirely upon God, and upon Him only; which one would think is no great argument of the natural inferiority of either sex.

Our Reflector is of opinion that disputes of this kind, extending to human nature in general, and not peculiar to those to whom the Word of God has been revealed, ought to be decided by natural reason only. And that the Holy Scriptures should not be interested[9] in the present controversy, in which it determines nothing, any more than it does between the Copernican and Ptolomean systems. The design of those holy Books being to make us excellent moralists and perfect Christians, not great philosophers. And being writ for the vulgar as well as for the learned, they are accommodated to the common way of speech and the usage of the world; in which we have but a short probation,[10] so that it matters not much what part we act, whether of governing or obeying, provided we perform it well with respect to the world to come.

One does not wonder indeed, that when an adversary is driven to a nonplus[11] and reason declares against him, he flies to authority, especially to divine, which is infallible, and therefore ought not to be disputed. But Scripture is not always on their side who make parade[1] of it, and through their skill in languages and the tricks of the Schools,[2] wrest it from its genuine sense to their own inventions. And supposing, not granting, that it were apparently to the woman's disadvantage, no fair and generous adversary but would be ashamed to urge this advantage. Because women without their own fault, are kept in ignorance of the original, wanting languages and other helps to criticize on the sacred text, of which they know no more, than men are pleased to impart in their translations. In short, they show their desire to maintain their hypotheses, but by no means their reverence to the sacred oracles who engage them in such disputes. And therefore the blame be theirs, who have unnecessarily introduced them in the present subject, and who by saying that the *Reflections* were not agreeable to Scripture, oblige the Reflector to show that those who affirm it must either mistake her meaning, or the sense of Holy Scripture, or both, if they think what they say, and do not find fault merely because they resolve to do so. For had she ever writ any thing contrary to those sacred truths, she would be the first in pronouncing its condemnation.

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[1] *the head ... God* 1 Corinthians 11.3.

[2] *the man ... the man* 1 Corinthians 11.7.

[3] *even nature ... shame unto him* 1 Corinthians 11.14.

[4] *viz.* Namely.

[5] *should have power ... angels* 1 Corinthians 11.10.

[6] *false Apostle ... silly women* See 2 Timothy 3.6.

[7] *as mean an opinion ... things were so* See Acts 17.11.

[8] *the man is not ... things of God* 1 Corinthians 11.11–12.

[9] *interested* Involved.

[10] *probation* Trial period.

[11] *nonplus* State of confusion.

But what says the Holy Scripture? It speaks of women as in a state of subjection, and so it does of the Jews and Christians when under the dominion of the Chaldeans[3] and Romans, requiring of the one as well as of the other a quiet submission to them under whose power they lived. But will anyone say that these had a natural superiority and right to dominion? that they had a superior understanding, or any pre-eminence, except what their greater strength acquired? Or that the other were subjected to their adversaries for any other reason but the punishment of their sins, and in order to their reformation? Or for the exercise of their virtue, and because the order of the world and the good of society required it?

If mankind had never sinned, reason would always have been obeyed, there would have been no struggle for dominion, and brutal power would not have prevailed. But in the lapsed state of mankind,[4] and now that men will not be guided by their reason but by their appetites, and do not what they *ought* but what they *can*, the reason, or that which stands for it, the will and pleasure of the governor is to be the reason of those who will not be guided by their own, and must take place for order's sake, although it should not be conformable to right reason. Nor can there be any society great or little, from empires down to private families, without a last resort, to determine the affairs of that society by an irresistible sentence.[5] Now unless this supremacy be fixed somewhere, there will be a perpetual contention about it, such is the love of dominion, and let the reason of things be what it may, those who have least force, or cunning to supply it, will have the disadvantage. So that since women are acknowledged to have least bodily strength, their being commanded to obey is in pure kindness to them and for their quiet and security, as well as for the exercise of their virtue. But does it follow that domestic governors have more sense than their subjects, any more than that other governors have? We do not find that any man thinks the worse of his own understanding because another has superior power; or concludes himself less capable of a post of honor and authority, because he is not preferred[6] to it. How much time would lie on men's hands, how empty would the places of concourse[7] be, and how silent most companies[8] did men forbear to censure their governors, that is in effect to think themselves wiser. Indeed government would be much more desirable than it is, did it invest the possessor with a superior understanding as well as power. And if mere power gives a right to rule, there can be no such thing as usurpation; but a highway-man so long as he has strength to force, has also a right to require our obedience.

Again, if absolute sovereignty be not necessary in a state, how comes it to be so in a family? or if in a family why not in a state; since no reason can be alleged for the one that will not hold more strongly for the other? If the authority of the husband so far as it extends, is sacred and inalienable, why not of the prince? The domestic sovereign is without dispute elected, and the stipulations and contract are mutual, is it not then partial in men to the last degree, to contend for, and practice that arbitrary dominion in their families, which they abhor and exclaim against in the state? For if arbitrary power is evil in itself, and an improper method of governing rational and free agents it ought not to be practiced any where; nor is it less, but rather more mischievous in families than in kingdoms, by how much 100,000 tyrants are worse than one. What though a husband can't deprive a wife of life without being responsible to the law, he may however do what is much more grievous to a generous mind, render life miserable, for which she has no redress, scarce pity which is afforded to every other complainant. It being thought a wife's duty to suffer everything without complaint. If all men are born free, how is it that all women are born slaves, as they must be if being subjected to the inconstant, uncertain, unknown, arbitrary will of men, be the perfect condition of slavery, and if the essence of freedom consists, as our masters say it does, in having a standing rule to live by? And why is slavery so much condemned and strove against in one case, and so highly applauded and held so necessary and so sacred in another?

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[1] *parade* A display.

[2] *Schools* The medieval universities, where, according to a common view, scholarship was "scholastic"—dogmatic, church-dominated, pedantic, conservative.

[3] *Chaldeans* The ancient Babylonians, who, in the Old Testament, held the Jews in captivity.

[4] *lapsed state of mankind* State of sin, resulting from Adam and Eve's original one.

[5] *Nor can there ... irresistible sentence* I.e., every group can be governed by somebody's decision.

[6] *preferred* Promoted to it.

[7] *concourse* Public gathering.

[8] *companies* Gatherings of people.

'Tis true that God told Eve after the Fall that her husband should rule over her:[1] And so it is that he told Esau by the mouth of Isaac his father, that he should serve his younger brother, and should in time, and when he was strong enough to do it, break the yoke from off his neck.[2] Now why one text should be a command any more than the other, and not both of them be predictions only; or why the former should prove Adam's natural right to rule, and much less every man's, any more than the latter is a proof of Jacob's right to rule, and of Esau's to rebel, one is yet to learn? The text in both cases foretelling what would be; but, in neither of them determining what ought to be.

But the Scripture commands wives to submit themselves to their own husbands. True; for which St. Paul gives a mystical reason (Eph 5.22, etc.) and St. Peter a prudential and charitable one (1 St. Pet. 3.) but neither of them derive that subjection from the law of nature. Nay St. Paul, as if he foresaw and meant to prevent this plea, giving directions for their conduct to women in general, 1 Tim. 2, when he comes to speak of subjection, he changes his phrase from women, which denotes the whole sex, to woman, which in the New Testament is appropriated to a wife.

As for his not suffering[3] women to speak in the church, no sober person that I know of pretends to it.[4] That learned paraphrast indeed, who lays so much stress on the natural subjection, provided this prerogative[5] be secured, is willing to give up the other.[6] For he endeavors to prove that inspired women as well as men used to speak in the church, and that St. Paul does not forbid it, but only takes care that the women should signify their subjection by wearing a veil. But the Apostle is his own best expositor,[7] let us therefore compare his precepts with his practice, for he was all of a piece, and did not contradict himself. Now by this comparison we find, that though he forbids women to teach in the church, and this for several prudential reasons, like those he introduces with an *I give my opinion, and now speak I not the Lord*, and not because of any law of nature, or positive[8] divine precept, for that the words *they are commanded* (1 Cor.14.34.) are not in the original, appears from the italic character,[9] yet he did not found this prohibition on any supposed want of understanding in woman, or of ability to teach; neither does he confine them at all times to learn in silence. For the eloquent Apollos who was himself a teacher, was instructed by Priscilla as well as by her husband Aquila, and was improved by them both in the Christian faith.[10] Nor does St. Paul blame her for this, or suppose that she usurped authority over that great man, so far from this, that as she is always honorably mentioned in Holy Scripture, so our Apostle in his salutations, Rom. 16 places her in the front, even before her husband, giving to her as well as to him, the noble title of his helper in Christ Jesus, and of one to whom all the churches of the Gentiles had great obligations.[11]

But it will be said perhaps, that in 1 Tim. 2.13, etc. St. Paul argues for the woman's subjection from the reason of things. To this I answer, that it must be confessed that this (according to the vulgar interpretation) is a very obscure place, and I should be glad to see a natural, and not a forced interpretation given of it by those who take it literally. Whereas if it be taken allegorically, with respect to the mystical union between Christ and his Church, to which St. Paul frequently accommodates the matrimonial relation, the difficulties vanish. For the earthly Adam's being formed before Eve, seems as little to prove her natural subjection to him, as the living creatures, fishes, birds and beasts being formed before them both, proves that mankind must be subject to these animals. Nor can the Apostle mean that Eve only sinned; or that she only was deceived, for if Adam sinned willfully and knowingly, he became the greater transgressor. But it is very true that the second Adam, the man Christ Jesus, was first formed, and then his spouse the Church. He was not in any respect deceived, nor does she pretend to infallibility. And from this second Adam, promised to Eve in the day of our first parent's transgression, and from Him only, do all their race, men as well as women, derive their hopes of salvation. Nor is it promised to either sex on any other terms besides perseverance in faith, charity, holiness and sobriety.

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[1] *her husband ... rule over her* Genesis 3.16.

[2] *break the yoke ... neck* Genesis 27.40.

[3] *suffering* Allowing.

[4] *pretends to it* Makes that claim.

[5] *prerogative* Privilege.

[6] *That learned paraphrast ... give up the other* Astell means that the "paraphrast" is willing to give up the claim that women not be allowed to speak in the church, provided that their "natural subjection" is allowed.

[7] *expositor* Commentator on what is meant.

[8] *positive* Explicit.

[9] *italic character* It was customary to insert passages into translations of the Bible, printed in italics, which were not translations of the original, but were rather added by translators to make clear what they took the sense of the original to be.

[10] *For the eloquent Apollos ... Christian faith* Acts 18.24–26.

[11] *Rom. 16 ... obligations* Romans 16.3–4.

If the learned will not admit of this interpretation I know not how to contend with them. For sense is a portion that God Himself has been pleased to distribute to both sexes with an impartial hand, but learning is what men have engrossed to themselves, and one can't but admire their great improvements! For after doubting whether there was such a thing as truth, and after many hundred years disputes about it, in the last century an extraordinary genius arose, (whom yet some are pleased to call a visionary) enquired after it, and laid down the best method of finding it. Not to the general liking of the men of letters, perhaps, because it was wrote in a vulgar language, and was so natural and easy as to debase truth to common understandings, showing too plainly that learning and true knowledge are two very different things. "For it often happens," (says that author), "that women and children acknowledge the falsehood of those prejudices we contend with, because they do not dare to judge without examination, and they bring all the attention they are capable of to what they read. Whereas on the contrary, the learned continue wedded to their own opinions, because they will not take the trouble of examining what is contrary to their received doctrines."

Sciences indeed have been invented and taught long ago, and, as men grew better advised, new modeled. So that it is become a considerable piece of learning to give an account of the rise and progress of the sciences, and of the various opinions of men concerning them. But certainty and demonstration are much pretended to in this present age, and being obtained in many things, 'tis hoped men will never dispute them away in that which is of greatest importance, the way of salvation. And because there is not any thing more certain than what is delivered in the oracles of God, we come now to consider what they offer in favor of our sex.

Let it be premised,[1] (according to the reasoning of a very ingenious person in a like case) that one text for us, is more to be regarded than many against us. Because that one being different from what custom has established, ought to be taken with philosophical strictness; whereas the many being expressed according to the vulgar mode of speech, ought to have no greater stress laid on them, than that evident condescension[2] will bear. One place then were sufficient, but we have many instances wherein Holy Scripture considers women very differently from what they appear in the common prejudices of mankind....

[Here Astell provides lengthy analyses of several biblical presentations of women and argues that one need not interpret the Bible as advocating the subordination of women.]

The world will hardly allow a woman to say any thing well, unless as she borrows it from men, or is assisted by them: But God Himself allows that the Daughters of Zelophehad spake right, and passes their request into a law.[3] Considering how much the tyranny shall I say, or the superior force of men, keeps women from acting in the world, or doing any thing considerable, and remembering withal the conciseness of the sacred story, no small part of it is bestowed in transmitting the history of women famous in their generations: Two of the Canonical Books[4] bearing the names of those great women whose virtues and actions are there recorded. Ruth being called from among the Gentiles to be an ancestor of the Messiah, and Esther being raised up by God to be the great instrument of the deliverance and prosperity of the Jewish Church.

The character of Isaac, though one of the most blameless men taken notice of in the Old Testament, must give place to Rebecca's, whose affections are more reasonably placed than his, her favorite son being the same who was God's favorite. Nor was the blessing bestowed according to his but to her desire; so that if you will not allow, that her command to Jacob superseded Isaac's to Esau, his desire to give the blessing to this son, being evidently an effect of his partiality:[1] you must at least grant that she paid greater deference to the Divine Revelation, and for this reason at least, had a right to oppose her husband's design; which it seems Isaac was sensible of when upon his disappointment he "trembled so exceedingly."[2] And so much notice is taken even of Rebecca's nurse that we have an account where she died and where she was buried.[3]

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[1] *premised* Assumed for the purposes of argument.

[2] *condescension* Descent to something unworthy.

[3] *But God Himself ... law* Numbers 27.2.

[4] *Canonical Books* Those books of the Bible officially considered to give a true account of divine revelation of history. Some bibles, including the King James version of 1611, include the *apocrypha* (Greek: hidden), non-canonical texts whose authenticity is questioned.

God is pleased to record it among His favors to the ungrateful Jews, that He sent before them His servants Moses, Aaron, and Miriam; who was also a prophetess, and instructed the women how to bear their part with Moses in his triumphal hymn. Is she to be blamed for her ambition? and is not the High Priest Aaron also [to blame], who has his share in the reproof as well as in the crime? Nor could she have moved[4] sedition if she had not been a considerable person, which appears also by the respect the people paid her, in deferring their journey till she was ready.[5]

Where shall we find a nobler piece of poetry than Deborah's Song? or a better and greater ruler than that renowned woman whose government so much excelled that of the former judges? And though she had a husband, she herself judged Israel and consequently was his sovereign, of whom we know no more than the name.[6] Which instance, as I humbly suppose, overthrows the pretence of natural inferiority. For it is not the bare relation of a fact, by which none ought to be concluded, unless it is conformable to a rule, and to the reason of things: But Deborah's government was conferred on her by God Himself. Consequently the sovereignty of a woman is not contrary to the law of nature; for the law of nature is the law of God, who cannot contradict Himself; and yet it was God who inspired and approved that great woman, raising her up to judge and to deliver His people Israel.

Not to insist on the courage of that valiant woman who delivered Thebez by slaying the assailant;[7] nor upon the preference which God thought fit to give to Sampson's mother, in sending the angel to her, and not to her husband, whose vulgar fear she so prudently answered, as plainly shows her superior understanding:[8] to pass over Abigail's wise conduct, whereby she preserved her family and deserved David's acknowledgments, for restraining him from doing a rash and unjustifiable action; the holy penman giving her the character of a woman of good understanding, whilst her husband has that of a churlish[9] and foolish person, and a son of Belial:[10] to say nothing of the wise *woman* (as the text calls her) of Tekoah;[11] or of her of Abel who has the same epithet,[12] and who by her prudence delivered the city and appeased a dangerous rebellion:[13] Nor of the Queen of Sheba whose journey to hear the wisdom of Solomon, shows her own good judgment and great share in that excellent endowment![14] Solomon does not think himself too wise to be instructed by his mother, nor too great to record her lessons, which if he had followed he might have spared the trouble of repentance, and been delivered from a great deal of that vanity he so deeply regrets.[15]

What reason can be assigned why the mothers of the kings of Judah are so frequently noted in those very short accounts that are given of their reigns, but not the great respect paid them, or perhaps their influence on the government, and share in the administrations. This is not improbable, since the wicked Athaliah had power to carry on her intrigues so far as to get possession of the throne, and to keep it for some years.[16] Neither was there any necessity for Asa's removing his mother (or grandmother) from being queen, if this were merely titular, and did not carry power and authority along with it![17] And we find what influence Jezabel had in Israel, indeed to her husband's and her own destruction.[18]

It was a widow-woman whom God made choice of to sustain his Prophet Elijah at Zarephah![19] And the history of the Shunamite is a noble instance of the account that is made of women in Holy Scripture. For whether it was not the custom in Shunem for the husband to dictate, or whether hers was conscious of her superior virtue, or whatever was the reason, we find it is she who governs, dwelling with great honor and satisfaction among her own people. Which happiness she understood so well, and was so far from a troublesome ambition, that she desires no recommendation to the king or Captain of the Host when the prophet offered it, being already greater than they could make her. The text calls her a great woman, whilst her husband is hardly taken notice of, and this no otherwise than as performing the office of a bailiff.[1] It is *her* piety and hospitality that are recorded, *she* invites the prophet to *her house*; who converses with and is entertained by *her*. She gives her husband no account of *her* affairs any further than to tell him *her* designs that he may see them executed. And when he desires to know the reason of her conduct, all the answer she affords is, "well," or as the margin has it from the Hebrew, "peace."[2] Nor can this be thought assuming, since it is no more than what the prophet encourages, for all his addresses are to *her*, he takes no notice of her husband. His benefits are conferred on *her*, 'tis *she* and *her household* whom he warns of a famine, and 'tis *she* who appeals to the king for the restitution of *her house and land*.[3] I would not infer from hence that women generally speaking, ought to govern in their families when they have a husband, but I think this instance and example is a sufficient proof, that if by custom or contract, or the laws of the country, or birth-right (as in the case of sovereign princesses) they have the supreme authority, it is no usurpation, nor do they act contrary to Holy Scripture, nor consequently to the law of nature. For they are no where that I know of forbidden to claim their just right: the Apostle 'tis true would not have them usurp authority where custom and the law of the strongest had brought them into subjection, as it has in these parts of the world. Though in remoter regions, if travelers rightly inform us, the succession to the Crown is entailed on the female line.

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[1] *partiality* Preference.

[2] *Isaac ... trembled so exceedingly* Genesis 25, 26, 27.

[3] *Rebecca's nurse ... buried* Genesis 24.59 and 35.8.

[4] *moved* Promoted.

[5] *Nor could she ... she was ready* Numbers 12.

[6] *she herself ... name* Judges 4 and 5.

[7] *valiant woman ... assailant* Judges 9.53.

[8] *preference which God ... understanding* Judges 13.

[9] *churlish* Crass, unkind, grumpy.

[10] *Abigail's wise conduct ... son of Belial* 1 Samuel 25.

[11] *wise* woman ... *Tekoah* 2 Samuel 14.

[12] *epithet* Descriptive term attached to one's name.

[13] *her of Abel ... rebellion* 2 Samuel 20.16–22.

[14] *Queen of Sheba ... endowment* 1 Kings 10.

[15] *Solomon does not ... regrets* 1 Kings 2.

[16] *wicked Athaliah ... years* 2 Kings 8.25–11.16.

[17] *Asa's removing ... along with it* 1 Kings 15.13.

[18] *what influence Jezabel ... destruction* 1 Kings 16.31–33; 18.4; 19.2; 21.

[19] *widow-woman ... Zarephah* 1 Kings 17.9.

God Himself who is no respecter of persons, with whom there is neither bond nor free, male nor female, but they are all one in Christ Jesus, did not deny women that divine gift the spirit of prophecy, neither under the Jewish nor Christian dispensation. We have named two great prophetesses already, Min'am and Deborah, and besides other instances, Huldah the prophetess was such an oracle that the good king Josiah, that great pattern of virtue, sends even the High Priest himself to consult her, and to receive directions from her in the most arduous affairs.[4] "It shall come to pass," saith the Lord, "that I will pour out my spirit upon all flesh, and your sons and your daughters shall prophesy,"[5] which was accordingly fulfilled by the mission of the Holy Ghost on the day of Pentecost, as St. Peter tells us. And besides others, there is mention of four daughters of Philip, virgins who did prophesy.[6] For as in the Old, so in the New Testament, women make a considerable figure; the Holy Virgin receiving the greatest honor that human nature is capable of, when the Son of God vouchsafed to be her Son and to derive his humanity from her only. And if it is a greater blessing to hear the Word of God and keep it, who are more considerable for their assiduity[7] in this than the female disciples of our Lord? Mary being exemplary and receiving a noble encomium[8] from Him, for her choice of the better part.

It would be thought tedious to enumerate all the excellent women mentioned in the New Testament, whose humble penitence and ardent love, as Magdalen's; their lively faith and holy importunity, as the Syrophenician's;[9] extraordinary piety and uprightness, as Elizabeth's;[10] hospitality, charity and diligence, as Martha's,[11] Tabitha's;[12] etc. (see St. Luc. 8)[13] frequent and assiduous devotions and austerities, as Anna's;[14] constancy and courage, perseverance and ardent zeal, as that of the holy women who attended our Lord to His Cross, when His disciples generally forsook, and the most courageous had denied Him; are recorded for our example. Their love was stronger than death, it followed our Savior into the grave. And as a reward, both the angel and even the Lord Himself appears first to them, and sends them to preach the great article of the resurrection to the very apostles, who being as yet under the power of the prejudices of their sex, esteemed the holy women's words as idle tales and believed them not.[15]

Some men will have it, that the reason of our Lord's appearing first to the women, was their being least able to keep a secret; a witty and masculine remark and wonderfully reverent! But not to dispute whether those women were blabs[1] or no, there are many instances in Holy Scripture of women who did not betray the confidence reposed in them. Thus Rahab though formerly an ill woman, being converted by the report of those miracles, which though the Israelites saw, yet they believed not in God, nor put their trust in his word, she acknowledges the God of Heaven, and as a reward of her faithful service in concealing Joshua's spies, is with her family exempted from the ruin of her country, and also has the honor of being named in the Messiah's genealogy.[2] Michal to save David's life exposes herself to the fury of a jealous and tyrannical prince.[3] A girl was trusted by David's grave councilors to convey him intelligence in his son's rebellion; and when a lad had found it out and blabbed it to Absalom, the king's friends confiding in the prudence and fidelity of a woman were secured by her.[4] When our Lord escaped from the Jews, he trusted Himself in the hands of Martha and Mary.[5] So does St. Peter with another Mary when the angel delivered him from Herod, the damsel Rhoda too was acquainted with the secret.[6] More might be said, but one would think here is enough to show, that whatever other great and wise reasons men may have for despising women, and keeping them in ignorance and slavery, it can't be from their having learnt to do so in Holy Scripture. The Bible is for, and not against us, and cannot, without great violence done to it, be urged to our prejudice.

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[1] *bailiff* Minor legal official.

[2] *the Shunamite ... peace* 2 Kings 4.

[3] *she and her household ... land* 2 Kings 8.1–6.

[4] *Huldah ... affairs* 2 Kings 22.14.

[5] *It shall come ... prophesy* Joel 2.28.

[6] *four daughters ... prophesy* Acts 21.9.

[7] *assiduity* Great care and attention.

[8] *encomium* Statement of high praise.

[9] *Syrophenician* Mark 7.25–30.

[10] *Elizabeth* Luke 1.5–80.

[11] *Martha* Luke 10.38–42.

[12] *Tabitha* Acts 9.36–42.

[13] *(see St. Luc. 8)* Astell's reference is incorrect. The correct citation has been inserted in the next note.

[14] *Anna* Luke 2.36–38.

[15] *apostles ... believed them not* Luke 24.11.

However, there are strong and prevalent reasons which demonstrate the superiority and pre-eminence of the men. For in the first place, boys have much time and pains, care and cost bestowed on their education; girls have little or none. The former are early initiated in the sciences, are made acquainted with ancient and modern discoveries, they study books and men, have all imaginable encouragement; not only fame (a dry reward nowadays), but also title, authority, power, and riches themselves which purchase all things, are the reward of their improvement. The latter are restrained, frowned upon, and beat, not for but from the Muses;[7] laughter and ridicule that never-failing scarecrow is set up to drive them from the Tree of Knowledge. But if in spite of all difficulties nature prevails, and they can't be kept so ignorant as their masters would have them, they are stared upon as monsters, censured, envied, and every way discouraged, or at the best they have the fate the proverb assigns them, virtue is praised and starved. And therefore since the coarsest materials need the most curing,[8] as every workman can inform you, and the worst ground the most elaborate culture, it undeniably follows, that men's understandings are superior to women's, for after many years study and experience they become wise and learned, and women are not born so!

Again, men are possessed of all places of power, trust and profit, they make laws and exercise the magistracy, not only the sharpest sword, but even all the swords and blunderbusses[9] are theirs, which by the strongest logic in the world, gives them the best title to every thing they please to claim as their prerogative; who shall contend with them? Immemorial prescription is on their side in these parts of the world, ancient tradition and modern usage! Our fathers have all along both taught and practiced superiority over the weaker sex, and consequently women are by nature inferior to men, as was to be demonstrated. An argument which must be acknowledged unanswerable, for as well as I love my sex, I will not pretend a reply to such demonstration!

Only let me beg to be informed, to whom we poor fatherless maids, and widows who have lost their masters, owe subjection? It can't be to all men in general, unless all men were agreed to give the same commands; do we then fall as strays to the first who finds us? By the maxims of some men, and the conduct of some women one would think so. But whoever he be that thus happens to become our master, if he allows us to be reasonable creatures, and does not merely compliment us with that title, since no man denies our readiness to use our tongues, it would tend, I should think, to our master's advantage, and therefore he may please to be advised to teach us to improve our reason. But if reason is only allowed us by way of raillery, and the secret maxim is that we have none, or little more than brutes, 'tis the best way to confine us with chain and block to the chimney-corner,[10] which probably might save the estates of some families and the honor of others.

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[1] *blabs* Persons without sufficient control over what they say.

[2] *Rahab ... genealogy* Joshua 2 and 6.22–25.

[3] *Michal ... prince* 2 Samuel 3.

[4] *A girl ... secured by her* 2 Samuel 17.17–20.

[5] *When our Lord ... Mary* Luke 10.38 and 39.

[6] *St. Peter ... secret* Acts 12.12–14.

[7] *not for but from the Muses* The Muses were Greek goddesses personifying inspiration in the arts; Astell means here that women are chastised not for the sake of encouraging artistic achievement, but for discouraging it.

[8] *curing* Technique for preservation, for example of tobacco or leather.

[9] *blunderbusses* Seventeenth-century guns.

[10] *chimney-corner* Seat at the side of a fireplace, traditionally regarded as the place for the old, the infirm, and the idle.

I do not propose this to prevent a rebellion, for women are not so well united as to form an insurrection. They are for the most part wise enough to love their chains, and to discern how very becomingly they set. They think as humbly of themselves as their masters can wish, with respect to the other sex, but in regard to their own, they have a spice of masculine ambition, every one would lead, and none will follow. Both sexes being too apt to envy, and too backward in emulating, and take more delight in detracting from their neighbor's virtue than in improving their own. And therefore as to those women who find themselves born for slavery and are so sensible of their own meanness[1] as to conclude it impossible to attain to any thing excellent, since they are, or ought to be best acquainted with their own strength and genius, she's a fool who would attempt their deliverance or improvement. No, let them enjoy the great honor and felicity of their tame, submissive and depending temper! Let the men applaud, and let them glory in, this wonderful humility! Let them receive the flatteries and grimaces of the other sex, live unenvied by their own, and be as much beloved as one such woman can afford to love another! Let them enjoy the glory of treading in the footsteps of their predecessors, and of having the prudence to avoid that audacious attempt of soaring beyond their sphere! Let them housewife or play, dress and be pretty entertaining company! Or which is better, relieve the poor to ease their own compassions, read pious books, say their prayers and go to church, because they have been taught and used to do so, without being able to give a better reason for their faith and practice! Let them not by any means aspire at being women of understanding, because no man can endure a woman of superior sense, or would treat a reasonable woman civilly, but that he thinks he stands on higher ground, and that she is so wise as to make exceptions in his favor, and to take her measures by his directions; they may pretend to sense indeed, since mere pretences only render one the more ridiculous! Let them in short be what is called very women, for this is most acceptable to all sorts of men; or let them aim at the title of *good devout* women, since some men can bear with this; but let them not judge of the sex by their own scantling.[2] For the great Author of nature and Fountain of all perfection, never designed that the mean[3] and imperfect, but that the most complete and excellent of His creatures in every kind, should be the standard to the rest.

To conclude, if that Great Queen who has subdued the proud, and made the pretended invincible more than once fly before her; who has rescued an empire, reduced a kingdom, conquered provinces in as little time almost as one can travel them, and seems to have chained victory to her standard; who disposes of crowns, gives laws and liberty to Europe, and is the chief instrument in the hand of the Almighty to pull down and to set up the great men of the Earth; who conquers everywhere for others, and no where for her self but in the hearts of the conquered, who are of the number of those who reap the benefit of her triumphs; whilst she only reaps for her self the laurels of disinterested glory, and the royal pleasure of doing heroically; if this glory of her own sex and envy of the other, will not think we need, or does not hold us worthy of, the protection of her ever victorious arms, and men have not the gratitude for her sake at least, to do justice to her sex, who has been such a universal benefactress to theirs: Adieu to the liberties not of this or that nation or region only, but of the moiety of mankind! To all the great things that women might perform, inspired by her example, encouraged by her smiles, and supported by her power! To their discovery of new worlds for the exercise of her goodness, new sciences to publish her fame, and reducing nature itself to a subjection to her empire! To their destroying those worst of tyrants impiety and immorality, which dare to stalk about even in her own dominions, and to devour souls almost within view of her throne, leaving a stench behind them scarce to be corrected even by the incense of her devotions! To the women's tracing a new path to honor, in which none shall walk but such as scorn to cringe in order to rise, and who are proof both against giving and receiving flattery! In a word, to those halcyon,[4] or if you will millennium days,[5] in which the wolf and the lamb shall feed together, and a tyrannous domination which nature never meant, shall no longer render useless if not hurtful, the industry and understandings of half mankind!

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[1] *meanness* Insignificance, lowness of rank.

[2] *scantling* Measuring-stick.

[3] *mean* Low-born, insignificant.

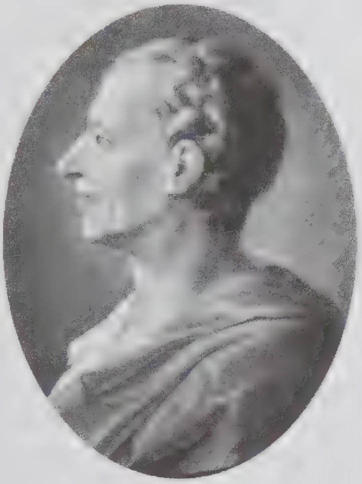
[4] *halcyon* Tranquil.

[5] *millennium days* The thousand-year period of peace traditionally expected to follow the second coming of Christ; figuratively, any hoped-for future period of happiness.

MONTESQUIEU

(1689 – 1755)

Charles-Louis de Secondat, Baron de Montesquieu, was one of the foremost figures of the eighteenth-century Enlightenment. His condemnations of the Inquisition and the Spanish conquest of the Americas, and his pleas for a more humane penal code and an end to slavery stamped him as a part of the larger intellectual movement (led by such figures as Voltaire in France, Kant in Germany, and Hume in Scotland) that aimed to rethink the workings of human society using rational principles. Most of all, Montesquieu is remembered as the champion of new forms of constitutional government, based on the principle of a separation of powers into executive, legislative, and judicial branches.



Unlike many other French intellectuals, Montesquieu chose to spend his life in the provinces rather than in Paris. In his inherited capacity as a member of the local judicial body, the *parlement* of Bordeaux, he witnessed the use of torture in the judicial system; this is probably one of the reasons why he soon resigned his post. Another reason was that he wished to devote his attention to the scientific activities of the Academy of Bordeaux.

Although not a scientist, Montesquieu attempted to apply the methods of scientific reasoning to the study of society and politics. In a small book that he published in 1734, he disputed Machiavelli's contention that the Roman republic had declined into monarchy by accident or misfortune, and he took issue with Bishop Bossuet, who in the seventeenth century had argued that Providence had stepped in to punish Rome for its reign of bloodshed. Neither Fortune nor Providence provided the answer, argued Montesquieu in his *Considerations on the Grandeur of the Romans and the Cause of Their Decline*. Instead, he looked to human causes and effects, arguing that a classical republic had to remain small to survive. If it expanded indefinitely, as the Roman republic had tried to do, its civic life would necessarily give way to a different kind of society and government. In Montesquieu's analysis, a scientific approach to causality swept aside both the pagan goddess *Fortuna* and the Christian deity, *Providence*.

Montesquieu had no desire, however, to sweep aside moral concerns. Already in his earliest work, the highly entertaining *Persian Letters* (1721), he put forward a case against injustice, arguing that tyranny is as self-destructive as it is morally repugnant. The book is a collection of fictionalized letters written by Persian travelers in France. Many of the letters display the often amusing sort of mistakes tourists make in their efforts to understand foreign cultural practices. Yet the novel has a serious message: despotism is a miserable form of government from which no one benefits, not even the despot. As he travels through Europe the Persian prince Usbek comes, over the years, to appreciate the presence of a degree of freedom there—a freedom that is contrasted with the "Oriental despotism" of his own country. He refuses, however, to understand that he is a despot in his relationship with his wives, and at the end of the story learns that Roxanne, the one woman he has loved, has decided to commit suicide rather than submit to his despotic ways.

Montesquieu was well aware that Western societies had their own form of despotism to worry about, the kind that had changed Spain from a great power into a backward country. In *The Spirit of the Laws* (1748), Montesquieu's most influential book, he argued that France should learn from Spain what to avoid, and learn from England that to which she might aspire. On the English side of the Channel the clergy no longer sat as a separate order in Parliament, and the aristocracy was no longer a feudal nobility. Also in contrast to France, the King of England did not claim to rule by divine right. For Montesquieu England, more than any other country, exemplified a desirable form of constitutional government. It is from the English experience that he derived his model of the separation of powers, which he based on his perception of the British constitutional system, divided between the king, Parliament, and the courts of laws. Montesquieu argued that political power should be divided between an executive, in charge of enforcing the law; a legislature, which writes the law; and a judiciary, which implements and interprets it. This arrangement, Montesquieu argued, was most likely to preserve liberty and prevent oppression.

Montesquieu sometimes spoke of the "spirit of the age"; when he applied that expression to the modern world, he insisted that its spirit was that of commerce. Holland and England were commercial, progressive countries and, not by coincidence, countries in which the citizenry enjoyed a high degree of freedom. Long before Adam Smith, Montesquieu held that through commerce ordinary persons demonstrate their capacity to act for themselves. Economic retardation and political unfreedom are linked, as seen in Portugal and Spain; commerce and constitutional government also go hand in hand, as witnessed by England and Holland.

Internationally, Montesquieu upheld the view that if European nations wished to assert their power, they should do so through trade rather than conquest. A new day of imperialism was at hand, he feared; the rising Leviathans of the Western world could not be stopped, so he did his best to explain why, even from the standpoint of narrow self-interest, the European countries would be better served by a policy of international commerce than by one of war.

Montesquieu achieved considerable fame in his day. Some intellectuals of his era challenged his view that Asian countries were doomed by climate and other "physical causes" to endure oppressive regimes in perpetuity, but his constitutional scheme became highly influential at the time of the founding of the United States, when his writings were frequently quoted; the Americans followed Montesquieu in the New World by substituting the President for the Monarch and a Senate for a House of Lords.

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The Spirit of the Laws (1748)

[…]

from *Part 2, Book 11*

Chapter 5: On the Purpose of Various States

Although all states have the same purpose in general, which is to maintain themselves, yet each state has a purpose that is peculiar to it. Expansion was the purpose of Rome; war, that of Lacedaemonia;[1] religion, that of the Jewish laws; commerce, that of Marseilles;[2] public tranquility, that of the laws of China;[3] navigation, that of the laws of the Rhodians;[4] natural liberty was the purpose of the police of the savages; in general, the delights of the prince are the purpose of the despotic states; his glory and that of his state, that of monarchies; the independence of each individual is the purpose of the laws of Poland;[5] and what results from this is the oppression of all.

There is also one nation in the world whose constitution has political liberty for its direct purpose. We are going to examine the principles on which this nation founds political liberty. If these principles are good, liberty will appear there as in a mirror.

Not much trouble need be taken to discover political liberty in the constitution. If it can be seen where it is, if it has been found, why seek it?

Chapter 6: On the Constitution of England

In each state there are three sorts of powers: legislative power, executive power over the things depending on the right of nations, and executive power over the things depending on civil right.

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[1] *Lacedaemonia* More commonly known as Sparta.

[2] *Marseilles* This historically important port did not become part of France until 1481.

[3] *public tranquility, that of the laws of China* [Montesquieu's note] The natural purpose of a state having no enemies on the outside or believing them checked by barriers.

[4] *Rhodians* Ancient inhabitants of the Greek island of Rhodes.

[5] *the laws of Poland* [Montesquieu's note] Drawback of the *liberum veto*. [Until 1764, this provision of Polish law meant that any member of the legislature could by his vote alone defeat a bill, end the current session, and nullify all legislation passed during it.]

By the first, the prince or the magistrate makes laws for a time or for always and corrects or abrogates those that have been made. By the second, he makes peace or war, sends or receives embassies, establishes security, and prevents invasions. By the third, he punishes crimes or judges disputes between individuals. The last will be called the power of judging, and the former simply the executive power of the state.

Political liberty in a citizen is that tranquility of spirit which comes from the opinion each one has of his security, and in order for him to have this liberty the government must be such that one citizen cannot fear another citizen.

When legislative power is united with executive power in a single person or in a single body of the magistracy, there is no liberty, because one can fear that the same monarch or senate that makes tyrannical laws will execute them tyrannically.

Nor is there liberty if the power of judging is not separate from legislative power and from executive power. If it were joined to legislative power, the power over the life and liberty of the citizens would be arbitrary, for the judge would be the legislator. If it were joined to executive power, the judge could have the force of an oppressor.

All would be lost if the same man or the same body of principal men, either of nobles, or of the people, exercised these three powers: that of making the laws, that of executing public resolutions, and that of judging the crimes or the disputes of individuals.

In most kingdoms in Europe, the government is moderate because the prince, who has the first two powers, leaves the exercise of the third to his subjects. Among the Turks, where the three powers are united in the person of the sultan, an atrocious despotism reigns.

In the Italian republics, where the three powers are united, there is less liberty than in our monarchies. Thus, in order to maintain itself, the government needs means as violent as in the government of the Turks; witness the state inquisitors[1] and the lion's maw into which an informer can, at any moment, throw his note of accusation.

Observe the possible situation of a citizen in these republics. The body of the magistracy, as executor of the laws, retains all the power it has given itself as a legislator. It can plunder the state by using its general wills; and, as it also has the power of judging, it can destroy each citizen by using its particular wills.

There, all power is one; and, although there is none of the external pomp that reveals a despotic prince, it is felt at every moment.

Thus princes who have wanted to make themselves despotic have always begun by uniting in their person all the magistracies, and many kings of Europe have begun by uniting all the great posts of their state.

I do believe that the pure hereditary aristocracy of the Italian republics is not precisely like the despotism of Asia. The multitude of magistrates sometimes softens the magistracy; not all the nobles always concur in the same designs; there various tribunals are formed that temper one another. Thus, in Venice, the *Great Council* has legislation, the *Pregadi*, execution; *Quarantia*, the power of judging. But the ill is that these different tribunals are formed of magistrates taken from the same body; this makes them nearly a single power.

The power of judging should not be given to a permanent senate but should be exercised by persons drawn from the body of the people[2] at certain times of the year in the manner prescribed by law to form a tribunal which lasts only as long as necessity requires.

In this fashion the power of judging, so terrible[3] among men, being attached neither to a certain state nor to a certain profession, becomes, so to speak, invisible and null. Judges are not continually in view; one fears the magistracy, not the magistrates.

In important accusations, the criminal in cooperation with the law must choose the judges, or at least he must be able to challenge so many of them that those who remain are considered to be of his choice.

The two other powers may be given instead to magistrates or to permanent bodies because they are exercised upon no individual, the one being only the general will of the state, and the other, the execution of that general will.

But though tribunals should not be fixed, judgments should be fixed to such a degree that they are never anything but a precise text of the law. If judgments were the individual opinion of a judge, one would live in this society without knowing precisely what engagements one has contracted.

Further, the judges must be of the same condition[4] as the accused, or his peers, so that he does not suppose that he has fallen into the hands of people inclined to do him violence.

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[1] *state inquisitors* [Montesquieu's note] In Venice.

[2] *exercised by persons drawn from the body of the people* [Montesquieu's note] As in Athens.

[3] *terrible* Montesquieu means *capable of inspiring such terror.*

[4] *the same condition* The same social rank.

If the legislative power leaves to the executive power the right to imprison citizens who can post bail for their conduct, there is no longer any liberty, unless the citizens are arrested in order to respond without delay to an accusation of a crime the law has rendered capital; in this case they are really free because they are subject only to the power of the law.

But if the legislative power believed itself endangered by some secret conspiracy against the state or by some correspondence with its enemies on the outside, it could, for a brief and limited time, permit the executive power to arrest suspected citizens who would lose their liberty for a time only so that it would be preserved forever.

And this is the only means consistent with reason of replacing the tyrannical magistracy of the *ephors*[1] and the *state inquisitors* of Venice, who are also despotic.

As, in a free state, every man, considered to have a free soul, should be governed by himself, the people as a body should have legislative power; but, as this is impossible in large states and is subject to many drawbacks in small ones, the people must have their representatives do all that they themselves cannot do.

One knows the needs of one's own town better than those of other towns, and one judges the ability of one's neighbors better than that of one's other compatriots. Therefore, members of the legislative body must not be drawn from the body of the nation at large; it is proper for the inhabitants of each principal town to choose a representative from it.

The great advantage of representatives is that they are able to discuss public business. The people are not at all appropriate for such discussions; this forms one of the great drawbacks of democracy.

It is not necessary that the representatives, who have been generally instructed by those who have chosen them, be instructed about each matter of business in particular, as is the practice in the Diets of Germany. It is true that, in their way, the word of the deputies would better express the voice of the nation; but it would produce infinite delays and make each deputy the master of all the others, and on the most pressing occasions the whole force of the nation could be checked by a caprice.

Mr. Sidney[2] says properly that when the deputies represent a body of people, as in Holland, they should be accountable to those who have commissioned them; it is another thing when they are deputed by boroughs, as in England.

In choosing a representative, all citizens in the various districts should have the right to vote except those whose estate is so humble that they are deemed to have no will of their own.

A great vice in most ancient republics was that the people had the right to make resolutions for action, resolutions which required some execution, which altogether exceeds the people's capacity. The people should not enter the government except to choose their representatives; this is quite within their reach. For if there are few people who know the precise degree of a man's ability, yet every one is able to know, in general, if the one he chooses sees more clearly than most of the others.

Nor should the representative body be chosen in order to make some resolution for action, a thing it would not do well, but in order to make laws or in order to see if those they have made have been well executed; these are things it can do very well and that only it can do well.

In a state there are always some people who are distinguished by birth, wealth, or honors; but if they were mixed among the people and if they had only one voice like the others, the common liberty would be their enslavement and they would have no interest in defending it, because most of the resolutions would be against them. Therefore, the part they have in legislation should be in proportion to the other advantages they have in the state, which will happen if they form a body that has the right to check the enterprises of the people, as the people have the right to check theirs.

Thus, legislative power will be entrusted both to the body of the nobles and to the body that will be chosen to represent the people, each of which will have assemblies and deliberations apart and have separate views and interests.

Among the three powers of which we have spoken, that of judging is in some fashion, null.[3] There remain only two; and, as they need a power whose regulations temper them, that part of the legislative body composed of the nobles is quite appropriate for producing this effect.

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[1] *ephors* Officials elected in ancient Sparta to balance the power of the two kings. They were sometimes considered to have excessive dictatorial power.

[2] *Mr. Sidney* Algernon Sidney (1622–83), an English Whig politician and author of *Discourses Concerning Government* (1698), chap. 3, sect. 38.

[3] *that of judging is in some fashion, null* Montesquieu means that the judiciary has negligible power compared to the other branches.

The nobility should be hereditary. In the first place, it is so by its nature; and, besides, it must have a great interest in preserving its prerogatives, odious in themselves, and which, in a free state, must always be endangered.

But, as a hereditary power could be induced to follow its particular interests and forget those of the people, in the things about which one has a sovereign interest in corrupting, for instance, in the laws about levying silver coin, it must take part in legislation only through its faculty of vetoing and not through its faculty of enacting.

I call the right to order by oneself, or to correct what has been ordered by another, the *faculty of enacting.* I call the right to render null a resolution taken by another the *faculty of vetoing,* which was the power of the tribunes of Rome. And, although the one who has the faculty of vetoing can also have the right to approve, this approval is no more than a declaration that one does not make use of one's faculty of vetoing, and it derives from that faculty.

The executive power should be in the hands of a monarch, because the part of the government that almost always needs immediate action is better administered by one than by many, whereas what depends on legislative power is often better ordered by many than by one.

If there were no monarch and the executive power were entrusted to a certain number of persons drawn from the legislative body, there would no longer be liberty, because the two powers would be united, the same persons sometimes belonging and always able to belong to both.

If the legislative body were not convened for a considerable time, there would no longer be liberty. For one of two things would happen: either there would no longer be any legislative resolution and the state would fall into anarchy; or these resolutions would be made by the executive power, and it would become absolute.

It would be useless for the legislative body to be convened without interruption. That would inconvenience the representatives and besides would overburden the executive power, which would not think of executing, but of defending its prerogatives and its right to execute.

In addition, if the legislative body were continuously convened, it could happen that one would do nothing but replace the deputies who had died with new deputies; and in this case, if the legislative body were once corrupted, the ill would be without remedy. When various legislative bodies follow each other, the people, holding a poor opinion of the current legislative body, put their hopes, reasonably enough, in the one that will follow; but if the legislative body were always the same, the people, seeing it corrupted, would expect nothing further from its laws; they would become furious or would sink into indolence.

The legislative body should not convene itself. For a body is considered to have a will only when it is convened; and if it were not convened unanimously, one could not identify which part was truly the legislative body, the part that was convened or the one that was not. For if it had the right to prorogue[1] itself, it could happen that it would never prorogue itself; this would be dangerous in the event that it wanted to threaten executive power. Besides, there are some times more suitable than others for convening the legislative body; therefore, it must be the executive power that regulates, in relation to the circumstances it knows, the time of the holding and duration of these assemblies.

If the executive power does not have the right to check the enterprises of the legislative body, the latter will be despotic, for it will wipe out all the other powers, since it will be able to give to itself all the power it can imagine.

But the legislative power must not have the reciprocal faculty of checking the executive power. For, as execution has the limits of its own nature, it is useless to restrict it; besides, executive power is always exercised on immediate things. And the power of the tribunes in Rome was faulty in that it checked not only legislation but even execution; this caused great ills.

But if, in a free state, legislative power should not have the right to check executive power, it has the right and should have the faculty to examine the manner in which the laws it has made have been executed; and this is the advantage of this government over that of Crete and Lacedaemonia, where the *kosmoi*[2] and the *ephors* were not held accountable for their administration.

But, whether or not this examination is made, the legislative body should not have the power to judge the person, and consequently the conduct, of the one who executes. His person should be sacred because, as he is necessary to the state so that the legislative body does not become tyrannical, if he were accused or judged there would no longer be liberty.

In this case, the state would not be a monarchy but an unfree republic. But, as he who executes cannot execute badly without having as ministers wicked counselors who hate the law although the laws favor them as men, these counselors can be sought out and punished. And this is the advantage of this government over that of Cnidus,[1] where the people could never get satisfaction for the injustices that had been done to them, as the law did not permit calling the *amymones*[2] to judgment even after their administration.[3]

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[1] *prorogue* Discontinue its sittings without formally ending the legislative session.

[2] *kosmoi* Officials in ancient Crete (corresponding closely to the ephors in Sparta).

Although in general the power of judging should not be joined to any part of the legislative power, this is subject to three exceptions founded on the particular interests of the one who is to be judged.

Important men are always exposed to envy; and if they were judged by the people, they could be endangered and would not enjoy the privilege of the last citizen of a free state, of being judged by his peers. Therefore, nobles must not be called before the ordinary tribunals of the nation but before that part of the legislative body composed of nobles.

It could happen that the law, which is simultaneously clairvoyant[4] and blind, might be too rigorous in certain cases. But the judges of the nation are, as we have said, only the mouth that pronounces the words of the law, inanimate beings who can moderate neither its force nor its rigor. Therefore, the part of the legislative body, which we have just said is a necessary tribunal on another occasion, is also one on this occasion; it is for its supreme authority to moderate the law in favor of the law itself by pronouncing less rigorously than the law.

It could also happen that a citizen, in matters of public business, might violate the rights of the people and commit crimes that the established magistrates could not or would not want to punish. But, in general, the legislative power cannot judge, and even less so in this particular case, where it represents the interested party, the people. Therefore, it can be only the accuser. But, before whom will it make its accusation? Will it bow before the tribunals of law, which are lower than it and are, moreover, composed of those who, being also of the people, would be swept along by the authority of such a great accuser? No: in order to preserve the dignity of the people and the security of the individual, that part of the legislature drawn from the people must make its accusation before the part of the legislature drawn from the nobles, which has neither the same interests nor the same passions.

This last is the advantage of this government over most of the ancient republics, where there was the abuse that the people were judge and accuser at the same time.

Executive power, as we have said, should take part in legislation by its faculty of vetoing; otherwise it will soon be stripped of its prerogatives. But if legislative power takes part in execution,[5] executive power will equally be lost.

If the monarch took part in legislation by the faculty of enacting, there would no longer be liberty. But as in spite of this, he must take part in legislation in order to defend himself, he must take part in it by the faculty of vetoing.

The cause of the change in government in Rome was that the senate, which had one part of the executive power, and the magistrates, who had the other, did not have the faculty of vetoing, as the people had.

Here, therefore, is the fundamental constitution of the government of which we are speaking. As its legislative body is composed of two parts, the one will be chained to the other by their reciprocal faculty of vetoing. The two will be bound by the executive power, which will itself be bound by the legislative power.

The form of these three powers should be rest or inaction. But as they are constrained to move by the necessary motion of things, they will be forced to move in concert.

As executive power belongs to the legislative only through its faculty of vetoing, it cannot enter into the discussion of public business. It is not even necessary for it to propose, because, as it can always disapprove of resolutions, it can reject decisions on propositions it would have wanted left unmade.

In some ancient republics, where the people as a body discussed the public business, it was natural for the executive power to propose and discuss with them; otherwise, there would have been a strange confusion in the resolutions.

If the executive power enacts on the raising of public funds without the consent of the legislature, there will no longer be liberty, because the executive power will become the legislator on the most important point of legislation.

If the legislative power enacts, not from year to year, but forever, on the raising of public funds, it runs the risk of losing its liberty, because the executive power will no longer depend upon it; and when one holds such a right forever, it is unimportant whether that right comes from oneself or from another. The same is true if the legislative power enacts, not from year to year, but forever, about the land and sea forces, which it should entrust to the executive power.

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[1] *Cnidus* Ancient colony of Sparta.

[2] *amymones* [Montesquieu's note] These were magistrates elected annually by the people. See Stephanus of Byzantium. [Sixth-century author of a geographical dictionary entitled *Ethnica*.]

[3] *even after their administration* [Montesquieu's note] One could accuse the Roman magistrates after their magistracy. In Dionysius Halicarnassus, Book 9 see the affair of the tribune Genutius. [The work is *Antiquitates Romanae* by Dionysius of Halicarnassus.]

[4] *clairvoyant* Having the ability to see things beyond the reach of normal human senses.

[5] *execution* Carrying out (the law).

So that the one who executes is not able to oppress, the armies entrusted to him must be of the people and have the same spirit as the people, as they were in Rome until the time of Marius.[1] This can be so in only two ways: either those employed in the army must have enough goods to be answerable for their conduct to the other citizens and be enrolled for a year only, as was practiced in Rome; or, if the troops must be a permanent body, whose soldiers come from the meanest parts of the nation, legislative power must be able to disband them as soon as the legislature so desires; the soldiers must live with the citizens, and there must not be a separate camp, a barracks, or a fortified place.

Once the army is established, it should be directly dependent on the executive power, not on the legislative body; and this is in the nature of the thing, as its concern is more with action than with deliberation.

Men's manner of thinking is to make more of courage than of timidity; more of activity than of prudence; more of force than of counsel. The army will always scorn a senate and respect its officers. It will not make much of the orders sent from a body composed of people it believes timid and, therefore, unworthy to command it. Thus, whenever the army depends solely on the legislative body, the government will become military. And if the contrary has ever occurred, it is the effect of some extraordinary circumstances; it is because the army there is always separate, because it is composed of several bodies each of which depends upon its particular province, because the capitals are in excellent locations whose situation alone defends them and which have no troops.

Holland is even more secure than Venice; it could flood rebellious troops; it could leave them to die of hunger; since the troops are not in towns that could give them sustenance, their sustenance is precarious.

For if, in the case of an army governed by the legislative body, particular circumstances keep the government from becoming military, one will encounter other drawbacks; one of these two things must happen, either the army must destroy the government, or the government must weaken the army.

And this weakening will have a fatal cause: it will arise from the very weakness of the government.

If one wants to read the admirable work by Tacitus, *On the Mores of the Germans*, one will see that the English have taken their idea of political government from the Germans.[2] This fine system was found in the forests.

Since all human things have an end, the state of which we are speaking will lose its liberty; it will perish. Rome, Lacedaemonia, and Carthage have surely perished. This state will perish when legislative power is more corrupt than executive power.

It is not for me to examine whether at present the English enjoy this liberty or not. It suffices for me to say that it is established by their laws, and I seek no further.

I do not claim hereby to disparage other governments, or to say that this extreme political liberty should humble those who have only a moderate one. How could I say that, I who believe that the excess even of reason is not always desirable and that men almost always accommodate themselves better to middles than to extremities?

Harrington, in his Oceana,[3] has also examined the furthest point of liberty to which the constitution of a state can be carried. But of him it can be said that he sought this liberty only after misunderstanding it, and that he built Chalcedon with the coast of Byzantium before his eyes.[4]

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[1] *Marius* Gaius Marius (157–86 BCE), Roman general and politician. He broke with the tradition of having an army composed of land-holders, offering work as soldiers to the poor and landless.

[2] *the English have taken their idea of political government from the Germans* [Montesquieu's note] On lesser matters the princes consult, on greater ones, everybody does; yet even when a decision is in the power of the people, it is thoroughly considered by the princes. [This quotation is from Tacitus, *Germania*, chap. 11.]

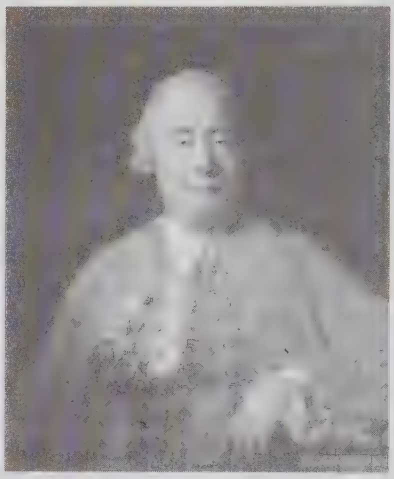
[3] *Harrington, in his Oceana* James Harrington, *Commonwealth of Oceana*, a work of utopian fiction published in 1656.

[4] *he built Chalcedon with the coast of Byzantium before his eyes* Chalcedon was an ancient town just across the Bosporus from Byzantium (both are now part of Istanbul). The Chalcedonian founders picked a far less advantageous and defensible site for their town, within sight of the superior location where Byzantium was founded seventeen years later.

DAVID HUME

(1711 – 1776)

David Hume has been called the most important philosopher ever to have written in English. He was born to a strict Calvinist family in Edinburgh, Scotland's capital, in 1711, and spent his youth there and in Ninewells, his family's small land-holding near the border with England. He was a precociously intelligent and well-read child, and by the age of 16 he had begun composing his first philosophical masterwork, *A Treatise of Human Nature*, on which he was to work, more or less continually, for the next ten years. Hume spent the years between 1723 and 1726 (i.e., between the ages of 12 and 15) studying a wide range of subjects at the University of Edinburgh. Like many students of that era, however, he did not take a degree. His father and grandfather had both been lawyers, and his family expected him also to go into law, but, Hume later wrote, he found the law "nauseous" and discovered in himself "an unsurmountable aversion to every thing but the pursuits of philosophy and general learning." Hume continued to read and write and, as a result of his feverish intellectual activity—motivated by his belief that he had made a major philosophical discovery—he suffered a nervous breakdown in 1734. He was forced to put philosophy aside for several months. He then left Britain for France. There, in the following three years, living frugally in the countryside in Anjou (and using up all his savings), he completed most of his book.



Hume's *A Treatise of Human Nature* was published anonymously when he was 27. Hume later wrote, it "fell *dead-born from the press*, without reaching such distinction as even to excite a murmur among the zealots." Hume's career as an intellectual and man of letters seemed to have ended before it had begun. He returned to Scotland to live with his mother, and began to recast the material of the *Treatise* into two new books, which have become philosophical classics in their own right: *An Enquiry Concerning Human Understanding* (1748), and *An Enquiry Concerning the Principles of Morals* (1751). These books were more successful than the *Treatise*, but they too were slow to become influential during Hume's own lifetime.

Needing money, Hume got his first real job at the age of 34; he spent a well-paid year as tutor to a mad nobleman (the Marquess of Annandale). In 1746 Hume accepted a position as secretary to General St. Clair, and for two years was part of a secret diplomatic and military embassy to the courts of Vienna and Turin. During this period Hume was twice refused academic appointments at Scottish universities—first Edinburgh, then Glasgow—because of his reputation as a religious skeptic. Shortly afterwards, between 1755 and 1757, unsuccessful attempts were made in Edinburgh to have Hume excommunicated from the Church of Scotland.

In 1763 Hume was made secretary of the English embassy at Paris, where he found himself very much in fashion and seems to have enjoyed the experience. There he fell in love with, but failed to win the hand of, the Comtesse de Boufflers, the mistress of a prominent French noble. (Some unkindly suggest this might have been partly because at the time, when Hume was in his fifties, he had come to resemble "a fat well-fed Bernardine monk.") In 1767, back in Scotland and now a fairly wealthy man, Hume was appointed an Under-Secretary of State, a senior position in the British civil service. By the time Hume died, in 1776, he had become respected as one of Europe's leading men of letters and a principal architect of the Enlightenment.

Hume can be called the first "post-skeptical" modern philosopher. He was wholly convinced (by, among others, the writings of his predecessors Descartes, Locke, and Berkeley) that no knowledge which goes beyond the mere data of our own minds has anything like secure and reliable foundations: that is, he believed, we have no certain knowledge of the inner workings of the physical world and its laws, or of God, or of absolute moral "truth," or even of our own "real selves." All we have secure knowledge of is our own mental states and their relations: our sensory impressions, our ideas, our emotions, and so on. Nevertheless, Hume's philosophical project was a positive one: he wanted to develop a new, constructive science of human nature that would provide a defensible foundation for all the sciences, including ethics, physics, and politics. Where Hume's predecessors tried in vain to argue against philosophical skepticism, Hume argued that a certain kind of skepticism was actually true and tried to go beyond it, to say something positive about how we are to get on with our lives (including our lives as scientists and philosophers). Much of Hume's philosophical writing, therefore, begins by showing the unstoppable power of skepticism in some domain—such as skepticism about causation or objective ethical truths—and then goes on to show how we can still talk sensibly about causation or ethics after all.

Hume's *Dialogues Concerning Natural Religion* (1779) was published only after his death, due to the controversial nature of its religious skepticism. In this work, written in the 1750s, Hume raises powerful doubts about whether we could ever have good reasons for believing in God—all religion, if Hume is right, may be no more than "mere superstition." Why then is religious belief so common? In *The Natural History of Religion*, published in 1757, Hume argues that the causes of religious belief are independent of rationality but are instead based on human fear of the unpredictable and uncontrollable influences in our lives—such as the forces of nature—which we try to propitiate through worship. Furthermore, Hume suggests, religious belief is more harmful than it is beneficial. Even apart from the suffering and strife which they have historically caused, religions invent spurious sins such as suicide, which (Hume argued) are not really harmful, and create "frivolous merits" which are not grounded in any genuine good (such as attending certain ceremonies and abstaining from particular foods).

In Book 3 of the *Treatise* and in his *Enquiry Concerning the Principles of Morals* Hume develops a secular alternative to religion-based morality; the theory of moral life which he develops there is based entirely upon an analysis of human nature and human needs, and is completely independent of religion. Hume's moral theory is a development of the "moral sense" tradition, exemplified by the writings of the Earl of Shaftesbury (1671–1713), Joseph Butler (1692–1752), and, especially, Francis Hutcheson (1694–1747). What these views have in common is the thesis that humans have a faculty of moral *perception*, analogous to sensory perception; that we experience feelings of approval or disapproval when we observe certain external actions or events; and that it is these feelings, rather than a priori deliverances of reason, that form the basis of morality. Earlier writers often tended to see moral sensations as giving insight into a relatively objective realm of moral fact. Hume shifted the debate by treating moral sensations as informing us not about the external world but about *human nature*—the structure of these sensations is to be explained by facts about our sympathies for those who are affected.

Hume's moral theory includes the following components. First, there are moral agents, whose actions are motivated by their character traits, which may be either virtuous or vicious, and may be either natural (instinctive) or artificial (acquired through social conditioning). Then there is the effect of such actions on others, who may experience either agreeable or disagreeable feelings as a result. Finally, there are moral spectators, who pronounce judgment on the agent's character traits—their virtues and vices—based on the observer's sympathetic experience of the feelings of those affected by the agent's action.[1]

Like several other authors in this volume, Hume sets himself the problem of explaining how social institutions arise and are justified. But unlike many of his early modern predecessors Hume rejects any kind of contractualist account of the origin of government. Like social contract theorists—but unlike thinkers from the Aristotelian or Thomistic traditions—Hume insists that social institutions, and the accompanying virtues, are human creations: they are *artificial* virtues. But unlike the social contract theorists, Hume denies that any mere act of collective will is sufficient to create meaningful social practices. So he faces the special problem of developing what one might call a "naturalistic" account of the origin and development of society, rooted in an empirical account of human psychological motivation.

Importantly, Hume distinguished between a contract—the kind of contract adduced by social contract theorists—and a convention. A convention, for Hume, does not require any explicitly stated promise. Rather, conventions arise when two or more people have a shared interest in a coordinated course of action, and where there is a mutually understood intention by each party to act in accordance with this course of action, so long as everybody else does as well. Much of Hume's account of justice rests on his notion of a convention.

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[1] Of course, on occasion, one and the same person may be the agent of an action, affected by it, and an observer of their own behavior.

Hume is often considered one of the founding figures of conservative thought; he repeatedly emphasizes the importance of the rule of law, moderation, stability, and pragmatism in his essays. At the same time, Hume defended the liberty of the press and moderate democracy; his legacy extends far beyond conservative thought. James Madison read Hume carefully and the *Federalist* essay No. 10 on factions is greatly influenced by Hume's essay "Of Parties in General." Hume's claim that justice is an artificial virtue has had a major influence on constructivist approaches to ethics and political philosophy (for example, the work of Rawls). Despite his rejection of the social contract, Hume plays a role in the social contract tradition. Rawls uses Hume's account of the conditions of justice in *Theory of Justice.*

It would be misleading, however, to think of Hume's influence only as a matter of influence on specific figures. His political writings and his secular approach to morality and politics are part of the philosophical vocabulary and have been absorbed—directly or indirectly—by most social and political philosophers.

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A Treatise of Human Nature (1739–40)

Part 2: Of Justice and Injustice

Section 1: Justice, Whether a Natural or Artificial Virtue?

I have already hinted, that our sense of every kind of virtue is not natural; but that there are some virtues, that produce pleasure and approbation by means of an artifice or contrivance,[1] which arises from the circumstances and necessity of mankind. Of this kind I assert justice to be; and shall endeavor to defend this opinion by a short, and, I hope, convincing argument, before I examine the nature of the artifice, from which the sense of that virtue is derived.

It is evident, that when we praise any actions, we regard only the motives that produced them, and consider the actions as signs or indications of certain principles in the mind and temper. The external performance has no merit. We must look within to find the moral quality. This we cannot do directly; and therefore fix our attention on actions, as on external signs. But these actions are still considered as signs; and the ultimate object of our praise and approbation is the motive, that produced them.

After the same manner, when we require any action, or blame a person for not performing it, we always suppose, that one in that situation should be influenced by the proper motive of that action, and we esteem it vicious in him to be regardless of it.[2] If we find, upon enquiry, that the virtuous motive was still powerful over his breast, though checked in its operation by some circumstances unknown to us, we retract our blame, and have the same esteem for him, as if he had actually performed the action, which we require of him.

It appears, therefore, that all virtuous actions derive their merit only from virtuous motives, and are considered merely as signs of those motives. From this principle I conclude, that the first virtuous motive, which bestows a merit on any action, can never be a regard to the virtue of that action, but must be some other natural motive or principle. To suppose, that the mere regard to the virtue of the action, may be the first motive, which produced the action, and rendered it virtuous, is to reason in a circle. Before we can have such a regard, the action must be really virtuous; and this virtue must be derived from some virtuous motive: And consequently the virtuous motive must be different from the regard to the virtue of the action. A virtuous motive is requisite to render an action virtuous. An action must be virtuous, before we can have a regard to its virtue. Some virtuous motive, therefore, must be antecedent to[3] that regard.

Nor is this merely a metaphysical subtlety; but enters into all our reasonings in common life, though perhaps we may not be able to place it in such distinct philosophical terms. We blame a father for neglecting his child. Why? because it shows a want of natural affection, which is the duty of every parent. Were not natural affection a duty, the care of children could not be a duty; and it were impossible we could have the duty in our eye in the attention we give to our offspring. In this case, therefore, all men suppose a motive to the action distinct from a sense of duty.

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[1] *natural ... artifice or contrivance* Hume holds that the "natural" virtues are those characteristic dispositions to act because of an inborn, instinctive associated "agreeable" feeling—of pleasure or approval. The "artificial" ones involve actions whose associations with "agreeable" feelings are learned—which we are trained by society to feel.

[2] *regardless of it* Motivated without regard to the proper motive—motivated otherwise.

[3] *antecedent to* Logically prior to—independent of.

Here is a man, that does many benevolent actions; relieves the distressed, comforts the afflicted, and extends his bounty even to the greatest strangers. No character can be more amiable and virtuous. We regard these actions as proofs of the greatest humanity. This humanity bestows a merit on the actions. A regard to this merit is, therefore, a secondary consideration, and derived from the antecedent principle of humanity, which is meritorious and laudable.

In short, it may be established as an undoubted maxim, that no action can be virtuous, or morally good, unless there be in human nature some motive to produce it, distinct from the sense of its morality.

But may not the sense of morality or duty produce an action, without any other motive? I answer, It may: But this is no objection to the present doctrine. When any virtuous motive or principle is common in human nature, a person, who feels his heart devoid of that motive, may hate himself upon that account, and may perform the action without the motive, from a certain sense of duty, in order to acquire by practice, that virtuous principle, or at least, to disguise to himself, as much as possible, his want of it. A man that really feels no gratitude in his temper, is still pleased to perform grateful actions, and thinks he has, by that means, fulfilled his duty. Actions are at first only considered as signs of motives: But it is usual, in this case, as in all others, to fix our attention on the signs, and neglect, in some measure, the thing signified. But though, on some occasions, a person may perform an action merely out of regard to its moral obligation, yet still this supposes in human nature some distinct principles, which are capable of producing the action, and whose moral beauty renders the action meritorious.

Now to apply all this to the present case; I suppose a person to have lent me a sum of money, on condition that it be restored in a few days; and also suppose, that after the expiration of the term agreed on, he demands the sum: I ask, What reason or motive have I to restore the money? It will, perhaps, be said, that my regard to justice, and abhorrence of villainy and knavery, are sufficient reasons for me, if I have the least grain of honesty, or sense of duty and obligation. And this answer, no doubt, is just and satisfactory to man in his civilized state, and when trained up according to a certain discipline and education. But in his rude[1] and more natural condition, if you are pleased to call such a condition natural, this answer would be rejected as perfectly unintelligible and sophistical. For one in that situation would immediately ask you, Wherein consists this honesty and justice, which you find in restoring a loan, and abstaining from the property of others? It does not surely lie in the external action. It must, therefore, be placed in the motive, from which the external action is derived. This motive can never be a regard to the honesty of the action. For it is a plain fallacy to say, that a virtuous motive is requisite to render an action honest, and at the same time that a regard to the honesty is the motive of the action. We can never have a regard to the virtue of an action, unless the action be antecedently virtuous. No action can be virtuous, but so far as it proceeds from a virtuous motive. A virtuous motive, therefore, must precede the regard to the virtue; and it is impossible, that the virtuous motive and the regard to the virtue can be the same.

It is requisite, then, to find some motive to acts of justice and honesty, distinct from our regard to the honesty; and in this lies the great difficulty. For should we say, that a concern for our private interest or reputation is the legitimate motive to all honest actions; it would follow, that wherever that concern ceases, honesty can no longer have place. But it is certain, that self-love, when it acts at its liberty, instead of engaging us to honest actions, is the source of all injustice and violence; nor can a man ever correct those vices, without correcting and restraining the natural movements of that appetite.

But should it be affirmed, that the reason or motive of such actions is the regard to public interest, to which nothing is more contrary than examples of injustice and dishonesty; should this be said, I would propose the three following considerations, as worthy of our attention. First, public interest is not naturally attached to the observation of the rules of justice; but is only connected with it, after an artificial convention for the establishment of these rules, as shall be shown more at large[2] hereafter. Secondly, if we suppose, that the loan was secret, and that it is necessary for the interest of the person, that the money be restored in the same manner (as when the lender would conceal his riches) in that case the example ceases, and the public is no longer interested in the actions of the borrower; though I suppose there is no moralist, who will affirm, that the duty and obligation ceases. Thirdly, experience sufficiently proves, that men, in the ordinary conduct of life, look not so far as the public interest, when they pay their creditors, perform their promises, and abstain from theft, and robbery, and injustice of every kind. That is a motive too remote and too sublime to affect the generality of mankind, and operate with any force in actions so contrary to private interest as are frequently those of justice and common honesty.

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[1] *rude* Untrained by society.

[2] *more at large* At greater length.

In general, it may be affirmed, that there is no such passion in human minds, as the love of mankind, merely as such, independent of personal qualities, of services, or of relation to oneself. It is true, there is no human, and indeed no sensible, creature, whose happiness or misery does not, in some measure, affect us, when brought near to us, and represented in lively colors: But this proceeds merely from sympathy,[1] and is no proof of such an universal affection to mankind, since this concern extends itself beyond our own species. An affection betwixt the sexes is a passion evidently implanted in human nature; and this passion not only appears in its peculiar symptoms, but also in inflaming every other principle of affection, and raising a stronger love from beauty, wit, kindness, than what would otherwise flow from them. Were there an universal love among all human creatures, it would appear after the same manner. Any degree of a good quality would cause a stronger affection than the same degree of a bad quality would cause hatred; contrary to what we find by experience. Men's tempers are different, and some have a propensity to the tender, and others to the rougher, affections: But in the main, we may affirm, that man in general, or human nature, is nothing but the object both of love and hatred, and requires some other cause, which by a double relation of impressions and ideas, may excite these passions. In vain would we endeavor to elude this hypothesis. There are no phenomena that point out any such kind affection to men, independent of their merit, and every other circumstance. We love company in general; but it is as we love any other amusement. An Englishman in Italy is a friend: A European in China; and perhaps a man would be beloved as such, were we to meet him in the moon. But this proceeds only from the relation to ourselves; which in these cases gathers force by being confined to a few persons.

If public benevolence, therefore, or a regard to the interests of mankind, cannot be the original motive to justice, much less can private benevolence, or a regard to the interests of the party concerned, be this motive. For what if he be my enemy, and has given me just cause to hate him? What if he be a vicious man, and deserves the hatred of all mankind? What if he be a miser, and can make no use of what I would deprive him of? What if he be a profligate debauchee, and would rather receive harm than benefit from large possessions? What if I be in necessity, and have urgent motives to acquire something to my family? In all these cases, the original motive to justice would fail; and consequently the justice itself, and along with it all property, right, and obligation.

A rich man lies under a moral obligation to communicate to those in necessity a share of his superfluities. Were private benevolence the original motive to justice, a man would not be obliged to leave others in the possession of more than he is obliged to give them. At least the difference would be very inconsiderable. Men generally fix their affections more on what they are possessed of, than on what they never enjoyed: For this reason, it would be greater cruelty to dispossess a man of any thing, than not to give it him. But who will assert, that this is the only foundation of justice?

Besides, we must consider, that the chief reason, why men attach themselves so much to their possessions is, that they consider them as their property, and as secured to them inviolably by the laws of society. But this is a secondary consideration, and dependent on the preceding notions of justice and property.

A man's property is supposed to be fenced against every mortal, in every possible case. But private benevolence is, and ought to be, weaker in some persons, than in others: And in many, or indeed in most persons, must absolutely fail. Private benevolence, therefore, is not the original motive of justice.

From all this it follows, that we have no real or universal motive for observing the laws of equity, but the very equity and merit of that observance; and as no action can be equitable or meritorious, where it cannot arise from some separate motive, there is here an evident sophistry and reasoning in a circle. Unless, therefore, we will allow, that nature has established a sophistry, and rendered it necessary and unavoidable, we must allow, that the sense of justice and injustice is not derived from nature, but arises artificially, though necessarily from education, and human conventions.

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[1] *sympathy* Hume uses this word in a broad sense, meaning the broad capacity to share in another's feelings—not just to feel unhappy at another's pain.

I shall add, as a corollary to this reasoning, that since no action can be laudable or blamable, without some motives or impelling passions, distinct from the sense of morals, these distinct passions must have a great influence on that sense. It is according to their general force in human nature, that we blame or praise. In judging of the beauty of animal bodies, we always carry in our eye the economy[1] of a certain species; and where the limbs and features observe that proportion, which is common to the species, we pronounce them handsome and beautiful. In like manner we always consider the natural and usual force of the passions, when we determine concerning vice and virtue; and if the passions depart very much from the common measures on either side, they are always disapproved as vicious. A man naturally loves his children better than his nephews, his nephews better than his cousins, his cousins better than strangers, where every thing else is equal. Hence arise our common measures of duty, in preferring the one to the other. Our sense of duty always follows the common and natural course of our passions.

To avoid giving offence, I must here observe, that when I deny justice to be a natural virtue, I make use of the word, natural, only as opposed to artificial. In another sense of the word; as no principle of the human mind is more natural than a sense of virtue; so no virtue is more natural than justice. Mankind is an inventive species; and where an invention is obvious and absolutely necessary, it may as properly be said to be natural as any thing that proceeds immediately from original principles, without the intervention of thought or reflection. Though the rules of justice be artificial, they are not arbitrary. Nor is the expression improper to call them Laws of Nature; if by natural we understand what is common to any species, or even if we confine it to mean what is inseparable from the species.

Section 2: Of the Origin of Justice and Property

We now proceed to examine two questions, viz. concerning the manner, in which the rules of justice are established by the artifice of men; and concerning the reasons, which determine us to attribute to the observance or neglect of these rules a moral beauty and deformity. These questions will appear afterwards to be distinct. We shall begin with the former.

Of all the animals, with which this globe is peopled, there is none towards whom nature seems, at first sight, to have exercised more cruelty than towards man, in the numberless wants and necessities, with which she has loaded him, and in the slender means, which she affords to the relieving these necessities. In other creatures these two particulars generally compensate each other. If we consider the lion as a voracious and carnivorous animal, we shall easily discover him to be very necessitous;[2] but if we turn our eye to his make and temper, his agility, his courage, his arms, and his force, we shall find, that his advantages hold proportion with his wants. The sheep and ox are deprived of all these advantages; but their appetites are moderate, and their food is of easy purchase. In man alone, this unnatural conjunction of infirmity, and of necessity, may be observed in its greatest perfection. Not only the food, which is required for his sustenance, flies his search and approach, or at least requires his labor to be produced, but he must be possessed of clothes and lodging, to defend him against the injuries of the weather; though to consider him only in himself, he is provided neither with arms, nor force, nor other natural abilities, which are in any degree answerable to so many necessities.

It is by society alone he is able to supply his defects, and raise himself up to an equality with his fellow-creatures, and even acquire a superiority above them. By society all his infirmities are compensated; and though in that situation his wants multiply every moment upon him, yet his abilities are still more augmented, and leave him in every respect more satisfied and happy, than it is possible for him, in his savage and solitary condition, ever to become. When every individual person labors apart, and only for himself, his force is too small to execute any considerable work; his labor being employed in supplying all his different necessities, he never attains a perfection in any particular art; and as his force and success are not at all times equal, the least failure in either of these particulars must be attended with inevitable ruin and misery. Society provides a remedy for these three inconveniences.[3] By the conjunction of forces, our power is augmented: By the partition of employments, our ability increases: And by mutual succor we are less exposed to fortune and accidents. It is by this additional force, ability, and security, that society becomes advantageous.

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[1] *economy* Structure, arrangement, proportion of parts; organization and apportionment of functions.

[2] *necessitous* Needy (as if in poverty).

[3] *inconveniences* Harms.

But in order to form society, it is requisite not only that it be advantageous, but also that men be sensible of these advantages; and it is impossible, in their wild uncultivated state, that by study and reflection alone, they should ever be able to attain this knowledge. Most fortunately, therefore, there is conjoined to those necessities, whose remedies are remote and obscure, another necessity, which having a present and more obvious remedy, may justly be regarded as the first and original principle of human society. This necessity is no other than that natural appetite betwixt the sexes, which unites them together, and preserves their union, till a new tie takes place in their concern for their common offspring. This new concern becomes also a principle of union betwixt the parents and offspring, and forms a more numerous society; where the parents govern by the advantage of their superior strength and wisdom, and at the same time are restrained in the exercise of their authority by that natural affection, which they bear their children. In a little time, custom and habit operating on the tender minds of the children, makes them sensible of the advantages, which they may reap from society, as well as fashions them by degrees for it, by rubbing off those rough corners and untoward affections, which prevent their coalition.

For it must be confessed, that however the circumstances of human nature may render a union necessary, and however those passions of lust and natural affection may seem to render it unavoidable; yet there are other particulars in our natural temper, and in our outward circumstances, which are very incommodious, and are even contrary to the requisite conjunction. Among the former, we may justly esteem our selfishness to be the most considerable. I am sensible, that, generally speaking, the representations of this quality have been carried much too far; and that the descriptions, which certain philosophers delight so much to form of mankind in this particular, are as wide of nature as any accounts of monsters, which we meet with in fables and romances. So far from thinking, that men have no affection for any thing beyond themselves, I am of opinion, that though it be rare to meet with one, who loves any single person better than himself; yet it is as rare to meet with one, in whom all the kind affections, taken together, do not over-balance all the selfish. Consult common experience: Do you not see, that though the whole expense of the family be generally under the direction of the master of it, yet there are few that do not bestow the largest part of their fortunes on the pleasures of their wives, and the education of their children, reserving the smallest portion for their own proper use and entertainment. This is what we may observe concerning such as have those endearing ties; and may presume, that the case would be the same with others, were they placed in a like situation.

But though this generosity must be acknowledged to the honor of human nature, we may at the same time remark, that so noble an affection, instead of fitting men for large societies, is almost as contrary to them, as the most narrow selfishness. For while each person loves himself better than any other single person, and in his love to others bears the greatest affection to his relations and acquaintance, this must necessarily produce an opposition of passions, and a consequent opposition of actions; which cannot but be dangerous to the new-established union.

It is however worth while to remark, that this contrariety of passions would be attended with but small danger, did it not concur with a peculiarity in our outward circumstances, which affords it an opportunity of exerting itself. There are three different species of goods, which we are possessed of; the internal satisfaction of our minds, the external advantages of our body, and the enjoyment of such possessions as we have acquired by our industry and good fortune. We are perfectly secure in the enjoyment of the first. The second may be ravished[1] from us, but can be of no advantage to him who deprives us of them. The last only are both exposed to the violence of others, and may be transferred without suffering any loss or alteration; while at the same time, there is not a sufficient quantity of them to supply every one's desires and necessities. As the improvement, therefore, of these goods is the chief advantage of society, so the instability of their possession, along with their scarcity, is the chief impediment.

In vain should we expect to find, in uncultivated nature, a remedy to this inconvenience; or hope for any inartificial principle of the human mind, which might control those partial affections, and make us overcome the temptations arising from our circumstances. The idea of justice can never serve to this purpose, or be taken for a natural principle, capable of inspiring men with an equitable conduct towards each other. That virtue, as it is now understood, would never have been dreamed of among rude and savage men. For the notion of injury or injustice implies an immorality or vice committed against some other person: And as every immorality is derived from some defect or unsoundness of the passions, and as this defect must be judged of, in a great measure, from the ordinary course of nature in the constitution of the mind; it will be easy to know, whether we be guilty of any immorality, with regard to others, by considering the natural, and usual force of those several affections, which are directed towards them. Now it appears, that in the original frame of our mind, our strongest attention is confined to ourselves; our next is extended to our relations and acquaintance; and it is only the weakest which reaches to strangers and indifferent persons. This partiality, then, and unequal affection, must not only have an influence on our behavior and conduct in society, but even on our ideas of vice and virtue; so as to make us regard any remarkable transgression of such a degree of partiality, either by too great an enlargement, or contraction of the affections, as vicious and immoral. This we may observe in our common judgments concerning actions, where we blame a person, who either centers all his affections in his family, or is so regardless of them, as, in any opposition of interest, to give the preference to a stranger, or mere chance acquaintance. From all which it follows, that our natural uncultivated ideas of morality, instead of providing a remedy for the partiality of our affections, do rather conform themselves to that partiality, and give it an additional force and influence.

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[1] *ravished* Removed by force.

The remedy, then, is not derived from nature, but from artifice; or more properly speaking, nature provides a remedy in the judgment and understanding, for what is irregular and incommodious in the affections. For when men, from their early education in society, have become sensible of the infinite advantages that result from it, and have besides acquired a new affection to[1] company and conversation; and when they have observed, that the principal disturbance in society arises from those goods, which we call external, and from their looseness and easy transition from one person to another; they must seek for a remedy, by putting these goods, as far as possible, on the same footing with the fixed and constant advantages of the mind and body. This can be done after no other manner, than by a convention entered into by all the members of the society to bestow stability on the possession of those external goods, and leave every one in the peaceable enjoyment of what he may acquire by his fortune and industry. By this means, every one knows what he may safely possess; and the passions are restrained in their partial and contradictory motions. Nor is such a restraint contrary to these passions; for if so, it could never be entered into, nor maintained; but it is only contrary to their heedless and impetuous movement. Instead of departing from our own interest, or from that of our nearest friends, by abstaining from the possessions of others, we cannot better consult both these interests, than by such a convention; because it is by that means we maintain society, which is so necessary to their well-being and subsistence, as well as to our own.

This convention is not of the nature of a promise: For even promises themselves, as we shall see afterwards, arise from human conventions. It is only a general sense of common interest; which sense all the members of the society express to one another, and which induces them to regulate their conduct by certain rules. I observe, that it will be for my interest to leave another in the possession of his goods, provided he will act in the same manner with regard to me. He is sensible of a like interest in the regulation of his conduct. When this common sense of interest is mutually expressed, and is known to both, it produces a suitable resolution and behavior. And this may properly enough be called a convention or agreement betwixt us, though without the interposition of a promise; since the actions of each of us have a reference to those of the other, and are performed upon the supposition, that something is to be performed on the other part. Two men, who pull the oars of a boat, do it by an agreement or convention, though they have never given promises to each other. Nor is the rule concerning the stability of possession the less derived from human conventions, that it arises gradually, and acquires force by a slow progression, and by our repeated experience of the inconveniences of transgressing it. On the contrary, this experience assures us still more, that the sense of interest has become common to all our fellows, and gives us a confidence of the future regularity of their conduct: And it is only on the expectation of this, that our moderation and abstinence are founded. In like manner are languages gradually established by human conventions without any promise. In like manner do gold and silver become the common measures of exchange, and are esteemed sufficient payment for what is of a hundred times their value.

After this convention, concerning abstinence from the possessions of others, is entered into, and every one has acquired a stability in his possessions, there immediately arise the ideas of justice and injustice; as also those of property, right, and obligation. The latter are altogether unintelligible without first understanding the former. Our property is nothing but those goods, whose constant possession is established by the laws of society; that is, by the laws of justice. Those, therefore, who make use of the words property, or right, or obligation, before they have explained the origin of justice, or even make use of them in that explication, are guilty of a very gross fallacy, and can never reason upon any solid foundation. A man's property is some object related to him. This relation is not natural, but moral, and founded on justice. It is very preposterous, therefore, to imagine, that we can have any idea of property, without fully comprehending the nature of justice, and showing its origin in the artifice and contrivance of man. The origin of justice explains that of property. The same artifice gives rise to both. As our first and most natural sentiment of morals is founded on the nature of our passions, and gives the preference to ourselves and friends, above strangers; it is impossible there can be naturally any such thing as a fixed right or property, while the opposite passions of men impel them in contrary directions, and are not restrained by any convention or agreement.

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[1] *affection to* Fondness for.

No one can doubt, that the convention for the distinction of property, and for the stability of possession, is of all circumstances the most necessary to the establishment of human society, and that after the agreement for the fixing and observing of this rule, there remains little or nothing to be done towards settling a perfect harmony and concord. All the other passions, besides this of interest, are either easily restrained, or are not of such pernicious consequence, when indulged. Vanity is rather to be esteemed a social passion, and a bond of union among men. Pity and love are to be considered in the same light. And as to envy and revenge, though pernicious, they operate only by intervals, and are directed against particular persons, whom we consider as our superiors or enemies. This avidity alone, of acquiring goods and possessions for ourselves and our nearest friends, is insatiable, perpetual, universal, and directly destructive of society. There scarce is any one, who is not actuated by it; and there is no one, who has not reason to fear from it, when it acts without any restraint, and gives way to its first and most natural movements. So that upon the whole, we are to esteem the difficulties in the establishment of society, to be greater or less, according to those we encounter in regulating and restraining this passion.

It is certain, that no affection of the human mind has both a sufficient force, and a proper direction to counterbalance the love of gain, and render men fit members of society, by making them abstain from the possessions of others. Benevolence to strangers is too weak for this purpose; and as to the other passions, they rather inflame this avidity, when we observe, that the larger our possessions are, the more ability we have of gratifying all our appetites. There is no passion, therefore, capable of controlling the interested affection, but the very affection itself, by an alteration of its direction. Now this alteration must necessarily take place upon the least reflection; since it is evident, that the passion is much better satisfied by its restraint, than by its liberty, and that in preserving society, we make much greater advances in the acquiring possessions, than in the solitary and forlorn condition, which must follow upon violence and a universal license. The question, therefore, concerning the wickedness or goodness of human nature, enters not in the least into that other question concerning the origin of society; nor is there any thing to be considered but the degrees of men's sagacity or folly. For whether the passion of self-interest be esteemed vicious or virtuous, it is all a case; since itself alone restrains it: So that if it be virtuous, men become social by their virtue; if vicious, their vice has the same effect.

Now as it is by establishing the rule for the stability of possession, that this passion restrains itself; if that rule be very abstruse, and of difficult invention; society must be esteemed, in a manner, accidental, and the effect of many ages. But if it be found, that nothing can be more simple and obvious than that rule; that every parent, in order to preserve peace among his children, must establish it; and that these first rudiments of justice must every day be improved, as the society enlarges: If all this appear evident, as it certainly must, we may conclude, that it is utterly impossible for men to remain any considerable time in that savage condition, which precedes society; but that his very first state and situation may justly be esteemed social. This, however, hinders not, but that philosophers may, if they please, extend their reasoning to the supposed state of nature; provided they allow it to be a mere philosophical fiction, which never had, and never could have any reality. Human nature being composed of two principal parts, which are requisite in all its actions, the affections and understanding; it is certain, that the blind motions of the former, without the direction of the latter, incapacitate men for society: And it may be allowed us to consider separately the effects, that result from the separate operations of these two component parts of the mind. The same liberty may be permitted to moral, which is allowed to natural philosophers; and it is very usual with the latter to consider any motion as compounded and consisting of two parts separate from each other, though at the same time they acknowledge it to be in itself uncompounded and inseparable.

This state of nature, therefore, is to be regarded as a mere fiction, not unlike that of the golden age, which poets have invented; only with this difference, that the former is described as full of war, violence and injustice; whereas the latter is painted out to us, as the most charming and most peaceable condition, that can possibly be imagined. The seasons, in that first age of nature, were so temperate, if we may believe the poets, that there was no necessity for men to provide themselves with clothes and houses as a security against the violence of heat and cold. The rivers flowed with wine and milk: The oaks yielded honey; and nature spontaneously produced her greatest delicacies. Nor were these the chief advantages of that happy age. The storms and tempests were not alone removed from nature; but those more furious tempests were unknown to human breasts, which now cause such uproar, and engender such confusion. Avarice, ambition, cruelty, selfishness, were never heard of: Cordial affection, compassion, sympathy, were the only movements, with which the human mind was yet acquainted. Even the distinction of mine and thine was banished from that happy race of mortals, and carried with them the very notions of property and obligation, justice and injustice.

This, no doubt, is to be regarded as an idle fiction; but yet deserves our attention, because nothing can more evidently show the origin of those virtues, which are the subjects of our present enquiry. I have already observed, that justice takes its rise from human conventions; and that these are intended as a remedy to some inconveniences, which proceed from the concurrence of certain qualities of the human mind with the situation of external objects. The qualities of the mind are selfishness and limited generosity: And the situation of external objects is their easy change, joined to their scarcity in comparison of the wants and desires of men. But however philosophers may have been bewildered in those speculations, poets have been guided more infallibly, by a certain taste or common instinct, which in most kinds of reasoning goes farther than any of that art and philosophy, with which we have been yet acquainted. They easily perceived, if every man had a tender regard for another, or if nature supplied abundantly all our wants and desires, that the jealousy of interest, which justice supposes, could no longer have place; nor would there be any occasion for those distinctions and limits of property and possession, which at present are in use among mankind. Increase to a sufficient degree the benevolence of men, or the bounty of nature, and you render justice useless, by supplying its place with much nobler virtues, and more valuable blessings. The selfishness of men is animated by the few possessions we have, in proportion to our wants; and it is to restrain this selfishness, that men have been obliged to separate themselves from the community, and to distinguish betwixt their own goods and those of others.

Nor need we have recourse to the fictions of poets to learn this; but beside the reason of the thing, may discover the same truth by common experience and observation. It is easy to remark, that a cordial affection renders all things common among friends; and that married people in particular mutually lose their property, and are unacquainted with the mine and thine, which are so necessary, and yet cause such disturbance in human society. The same effect arises from any alteration in the circumstances of mankind; as when there is such a plenty of any thing as satisfies all the desires of men: In which case the distinction of property is entirely lost, and every thing remains in common. This we may observe with regard to air and water, though the most valuable of all external objects; and may easily conclude, that if men were supplied with every thing in the same abundance, or if every one had the same affection and tender regard for every one as for himself; justice and injustice would be equally unknown among mankind.

Here then is a proposition, which, I think, may be regarded as certain, that it is only from the selfishness and confined generosity of men, along with the scanty provision nature has made for his wants, that justice derives its origin. If we look backward we shall find, that this proposition bestows an additional force on some of those observations, which we have already made on this subject.

First, we may conclude from it, that a regard to public interest, or a strong extensive benevolence, is not our first and original motive for the observation of the rules of justice; since it is allowed, that if men were endowed with such a benevolence, these rules would never have been dreamt of.

Secondly, we may conclude from the same principle, that the sense of justice is not founded on reason, or on the discovery of certain connections and relations of ideas, which are eternal, immutable, and universally obligatory. For since it is confessed, that such an alteration as that above-mentioned, in the temper and circumstances of mankind, would entirely alter our duties and obligations, it is necessary upon the common system, that the sense of virtue is derived from reason, to show the change which this must produce in the relations and ideas. But it is evident, that the only cause, why the extensive generosity of man, and the perfect abundance of every thing, would destroy the very idea of justice, is because they render it useless; and that, on the other hand, his confined benevolence, and his necessitous condition, give rise to that virtue, only by making it requisite to the public interest, and to that of every individual. It was therefore a concern for our own, and the public interest, which made us establish the laws of justice; and nothing can be more certain, than that it is not any relation of ideas, which gives us this concern, but our impressions and sentiments, without which every thing in nature is perfectly indifferent to us, and can never in the least affect us. The sense of justice, therefore, is not founded on our ideas, but on our impressions.[1]

Thirdly, we may farther confirm the foregoing proposition, that those impressions, which give rise to this sense of justice, are not natural to the mind of man, but arise from artifice and human conventions. For since any considerable alteration of temper and circumstances destroys equally justice and injustice; and since such an alteration has an effect only by changing our own and the public interest; it follows, that the first establishment of the rules of justice depends on these different interests. But if men pursued the public interest naturally, and with a hearty affection, they would never have dreamed of restraining each other by these rules; and if they pursued their own interest, without any precaution, they would run headlong into every kind of injustice and violence. These rules, therefore, are artificial, and seek their end in an oblique and indirect manner; nor is the interest, which gives rise to them, of a kind that could be pursued by the natural and inartificial passions of men.

To make this more evident, consider, that though the rules of justice are established merely by interest, their connection with interest is somewhat singular, and is different from what may be observed on other occasions. A single act of justice is frequently contrary to public interest; and were it to stand alone, without being followed by other acts, may, in itself, be very prejudicial to society. When a man of merit, of a beneficent disposition, restores a great fortune to a miser, or a seditious bigot, he has acted justly and laudably, but the public is a real sufferer. Nor is every single act of justice, considered apart, more conducive to private interest, than to public; and it is easily conceived how a man may impoverish himself by a signal instance of integrity, and have reason to wish, that with regard to that single act, the laws of justice were for a moment suspended in the universe. But however single acts of justice may be contrary, either to public or private interest, it is certain, that the whole plan or scheme is highly conducive, or indeed absolutely requisite, both to the support of society, and the well-being of every individual. It is impossible to separate the good from the ill. Property must be stable, and must be fixed by general rules. Though in one instance the public be a sufferer, this momentary ill is amply compensated by the steady prosecution of the rule, and by the peace and order, which it establishes in society. And even every individual person must find himself a gainer, on balancing the account; since, without justice, society must immediately dissolve, and every one must fall into that savage and solitary condition, which is infinitely worse than the worst situation that can possibly be supposed in society. When therefore men have had experience enough to observe, that whatever may be the consequence of any single act of justice, performed by a single person, yet the whole system of actions, concurred in by the whole society, is infinitely advantageous to the whole, and to every part; it is not long before justice and property take place. Every member of society is sensible of this interest: Every one expresses this sense to his fellows, along with the resolution he has taken of squaring his actions by it, on condition that others will do the same. No more is requisite to induce any one of them to perform an act of justice, who has the first opportunity. This becomes an example to others. And thus justice establishes itself by a kind of convention or agreement; that is, by a sense of interest, supposed to be common to all, and where every single act is performed in expectation that others are to perform the like. Without such a convention, no one would ever have dreamed, that there was such a virtue as justice, or have been induced to conform his actions to it. Taking any single act, my justice may be pernicious in every respect; and it is only upon the supposition, that others are to imitate my example, that I can be induced to embrace that virtue; since nothing but this combination can render justice advantageous, or afford me any motives to conform my self to its rules.

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[1] *ideas ... impressions* In Hume's theory of knowledge, impressions are the inner sensations we have when perceiving external objects. Ideas are the generalized copies of these impressions that we store mentally. Knowledge about particular things arises from perception and only from perception; but once we have stored ideas, we can have knowledge without (further) perception by recognizing the relations of ideas. Thus, for example, we know that snow is white by having an impression of whiteness when we look at snow; but we know that all bachelors are unmarried by examining the stored ideas corresponding to the words "bachelor" and "unmarried," and recognizing that the second idea is included within the first. Hume's point here is that knowledge about justice is not of this second sort; it is not discoverable that some action is just by mere operation of the mind (comparing ideas). Instead, that knowledge comes from the accompanying internal feelings we have when perceiving (or imagining) some event.

We come now to the second question we proposed, viz. Why we annex the idea of virtue to justice, and of vice to injustice. This question will not detain us long after the principles, which we have already established. All we can say of it at present will be dispatched in a few words: And for farther satisfaction, the reader must wait till we come to the third part of this book. The natural obligation to justice, viz. interest, has been fully explained; but as to the moral obligation, or the sentiment of right and wrong, it will first be requisite to examine the natural virtues, before we can give a full and satisfactory account of it.

After men have found by experience, that their selfishness and confined generosity, acting at their liberty, totally incapacitate them for society; and at the same time have observed, that society is necessary to the satisfaction of those very passions, they are naturally induced to lay themselves under the restraint of such rules, as may render their commerce[1] more safe and commodious.[2] To the imposition then, and observance of these rules, both in general, and in every particular instance, they are at first induced only by a regard to interest; and this motive, on the first formation of society, is sufficiently strong and forcible. But when society has become numerous, and has increased to a tribe or nation, this interest is more remote; nor do men so readily perceive, that disorder and confusion follow upon every breach of these rules, as in a more narrow and contracted society. But though in our own actions we may frequently lose sight of that interest, which we have in maintaining order, and may follow a lesser and more present interest, we never fail to observe the prejudice we receive, either mediately or immediately,[3] from the injustice of others; as not being in that case either blinded by passion, or biased by any contrary temptation. Nay when the injustice is so distant from us, as no way to affect our interest, it still displeases us; because we consider it as prejudicial to human society, and pernicious to every one that approaches the person guilty of it. We partake of their uneasiness by sympathy; and as every thing, which gives uneasiness in human actions, upon the general survey, is called Vice, and whatever produces satisfaction, in the same manner, is denominated Virtue; this is the reason why the sense of moral good and evil follows upon justice and injustice. And though this sense, in the present case, be derived only from contemplating the actions of others, yet we fail not to extend it even to our own actions. The general rule reaches beyond those instances, from which it arose; while at the same time we naturally sympathize with others in the sentiments they entertain of us. Thus self-interest is the original motive to the establishment of justice: but a sympathy with public interest is the source of the moral approbation, which attends that virtue.

Though this progress of the sentiments be natural, and even necessary, it is certain, that it is here forwarded by the artifice of politicians, who, in order to govern men more easily, and preserve peace in human society, have endeavored to produce an esteem for justice, and an abhorrence of injustice. This, no doubt, must have its effect; but nothing can be more evident, than that the matter has been carried too far by certain writers on morals, who seem to have employed their utmost efforts to extirpate all sense of virtue from among mankind. Any artifice of politicians may assist nature in the producing of those sentiments, which she suggests to us, and may even on some occasions, produce alone an approbation or esteem for any particular action; but it is impossible it should be the sole cause of the distinction we make betwixt vice and virtue. For if nature did not aid us in this particular, it would be in vain for politicians to talk of honorable or dishonorable, praiseworthy or blamable. These words would be perfectly unintelligible, and would no more have any idea annexed to them, than if they were of a tongue perfectly unknown to us. The utmost politicians can perform, is, to extend the natural sentiments beyond their original bounds; but still nature must furnish the materials, and give us some notion of moral distinctions.

As public praise and blame increase our esteem for justice; so private education and instruction contribute to the same effect. For as parents easily observe, that a man is the more useful, both to himself and others, the greater degree of probity and honor he is endowed with; and that those principles have greater force, when custom and education assist interest and reflection: For these reasons they are induced to inculcate on their children, from their earliest infancy, the principles of probity, and teach them to regard the observance of those rules, by which society is maintained, as worthy and honorable, and their violation as base and infamous. By this means the sentiments of honor may take root in their tender minds, and acquire such firmness and solidity, that they may fall little short of those principles, which are the most essential to our natures, and the most deeply radicated[1] in our internal constitution.

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[1] *commerce* Dealings by people with one another, in various life-matters—not just buying and selling.

[2] *commodious* Advantageous, convenient, serviceable.

[3] *mediately or immediately* Indirectly (mediated by other events) or directly.

What farther contributes to increase their solidity, is the interest of our reputation, after the opinion, that a merit or demerit attends justice or injustice, is once firmly established among mankind. There is nothing, which touches us more nearly than our reputation, and nothing on which our reputation more depends than our conduct, with relation to the property of others. For this reason, every one, who has any regard to his character, or who intends to live on good terms with mankind, must fix an inviolable law to himself, never, by any temptation, to be induced to violate those principles, which are essential to a man of probity and honor.

I shall make only one observation before I leave this subject, viz. that though I assert, that in the state of nature, or that imaginary state, which preceded society, there be neither justice nor injustice, yet I assert not, that it was allowable, in such a state, to violate the property of others. I only maintain, that there was no such thing as property; and consequently could be no such thing as justice or injustice. I shall have occasion to make a similar reflection with regard to promises, when I come to treat of them; and I hope this reflection, when duly weighed, will suffice to remove all odium from the foregoing opinions, with regard to justice and injustice.

Section 7: Of the Origin of Government

Nothing is more certain, than that men are, in a great measure, governed by interest, and that even when they extend their concern beyond themselves, it is not to any great distance; nor is it usual for them, in common life, to look farther than their nearest friends and acquaintance. it is no less certain, that it is impossible for men to consult their interest in so effectual a manner, as by an universal and inflexible observance of the rules of justice, by which alone they can preserve society, and keep themselves from falling into that wretched and savage condition, which is commonly represented as the state of nature. And as this interest, which all men have in the upholding of society, and the observation of the rules of justice, is great, so is it palpable and evident, even to the most rude and uncultivated of human race; and it is almost impossible for any one, who has had experience of society, to be mistaken in this particular. Since, therefore, men are so sincerely attached to their interest, and their interest is so much concerned in the observance of justice, and this interest is so certain and avowed; it may be asked, how any disorder can ever arise in society, and what principle there is in human nature so powerful as to overcome so strong a passion, or so violent as to obscure so clear a knowledge?

It has been observed, in treating of the passions, that men are mightily governed by the imagination, and proportion their affections more to the light, under which any object appears to them, than to its real and intrinsic value. What strikes upon them with a strong and lively idea commonly prevails above what lies in a more obscure light; and it must be a great superiority of value, that is able to compensate this advantage. Now as every thing, that is contiguous to us, either in space or time, strikes upon us with such an idea, it has a proportional effect on the will and passions, and commonly operates with more force than any object, that lies in a more distant and obscure light. Though we may be fully convinced, that the latter object excels the former, we are not able to regulate our actions by this judgment; but yield to the solicitations of our passions, which always plead in favor of whatever is near and contiguous.

This is the reason why men so often act in contradiction to their known interest; and in particular why they prefer any trivial advantage, that is present, to the maintenance of order in society, which so much depends on the observance of justice. The consequences of every breach of equity seem to lie very remote, and are not able to counterbalance any immediate advantage, that may be reaped from it. They are, however, never the less real for being remote; and as all men are, in some degree, subject to the same weakness, it necessarily happens, that the violations of equity must become very frequent in society, and the commerce of men, by that means, be rendered very dangerous and uncertain. You have the same propension,[2] that I have, in favor of what is contiguous above what is remote. You are, therefore, naturally carried to commit acts of injustice as well as me. Your example both pushes me forward in this way by imitation, and also affords me a new reason for any breach of equity, by showing me, that I should be the cully of[3] my integrity, if I alone should impose on myself a severe restraint amidst the licentiousness of others.

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[1] *radicated* Rooted.

[2] *propension* Inclination.

[3] *the cully of* Duped by, taken in or cheated as a result of.

This quality, therefore, of human nature, not only is very dangerous to society, but also seems, on a cursory view, to be incapable of any remedy. The remedy can only come from the consent of men; and if men be incapable of themselves to prefer remote to contiguous, they will never consent to any thing, which would oblige them to such a choice, and contradict, in so sensible a manner, their natural principles and propensities. Whoever chooses the means, chooses also the end; and if it be impossible for us to prefer what is remote, it is equally impossible for us to submit to any necessity, which would oblige us to such a method of acting.

But here it is observable, that this infirmity of human nature becomes a remedy to itself, and that we provide against our negligence about remote objects, merely because we are naturally inclined to that negligence. When we consider any objects at a distance, all their minute distinctions vanish, and we always give the preference to whatever is in itself preferable, without considering its situation and circumstances. This gives rise to what in an improper sense we call reason, which is a principle, that is often contradictory to those propensities that display themselves upon the approach of the object. In reflecting on any action, which I am to perform a twelve-month hence, I always resolve to prefer the greater good, whether at that time it will be more contiguous or remote; nor does any difference in that particular make a difference in my present intentions and resolutions. My distance from the final determination makes all those minute differences vanish, nor am I affected by any thing, but the general and more discernible qualities of good and evil. But on my nearer approach, those circumstances, which I at first over-looked, begin to appear, and have an influence on my conduct and affections. A new inclination to the present good springs up, and makes it difficult for me to adhere inflexibly to my first purpose and resolution. This natural infirmity I may very much regret, and I may endeavor, by all possible means, to free my self from it. I may have recourse to study and reflection within myself; to the advice of friends; to frequent meditation, and repeated resolution: And having experienced how ineffectual all these are, I may embrace with pleasure any other expedient, by which I may impose a restraint upon myself, and guard against this weakness.

The only difficulty, therefore, is to find out this expedient, by which men cure their natural weakness, and lay themselves under the necessity of observing the laws of justice and equity, notwithstanding their violent propension to prefer contiguous to remote. It is evident such a remedy can never be effectual without correcting this propensity; and as it is impossible to change or correct any thing material in our nature, the utmost we can do is to change our circumstances and situation, and render the observance of the laws of justice our nearest interest, and their violation our most remote. But this being impracticable with respect to all mankind, it can only take place with respect to a few, whom we thus immediately interest in the execution of justice. These are the persons, whom we call civil magistrates, kings and their ministers, our governors and rulers, who being indifferent persons to the greatest part of the state,[1] have no interest, or but a remote one, in any act of injustice; and being satisfied with their present condition, and with their part in society, have an immediate interest in every execution of justice, which is so necessary to the upholding of society. Here then is the origin of civil government and society. Men are not able radically to cure, either in themselves or others, that narrowness of soul, which makes them prefer the present to the remote. They cannot change their natures. All they can do is to change their situation, and render the observance of justice the immediate interest of some particular persons, and its violation their more remote. These persons, then, are not only induced to observe those rules in their own conduct, but also to constrain others to a like regularity, and enforce the dictates of equity through the whole society. And if it be necessary, they may also interest others more immediately in the execution of justice, and create a number of officers, civil and military, to assist them in their government.

But this execution of justice, though the principal, is not the only advantage of government. As violent passion hinders men from seeing distinctly the interest they have in an equitable behavior towards others; so it hinders them from seeing that equity itself, and gives them a remarkable partiality in their own favors. This inconvenience is corrected in the same manner as that above-mentioned. The same persons, who execute the laws of justice, will also decide all controversies concerning them; and being indifferent to the greatest part of the society, will decide them more equitably than every one would in his own case.

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[1] *indifferent persons to the greatest part of the state* On the whole, unbiased, not predisposed to further the interests of one particular group over another.

By means of these two advantages, in the execution and decision of justice, men acquire a security against each other's weakness and passion, as well as against their own, and under the shelter of their governors, begin to taste at ease the sweets of society and mutual assistance. But government extends farther its beneficial influence; and not contented to protect men in those conventions they make for their mutual interest, it often obliges them to make such conventions, and forces them to seek their own advantage, by a concurrence in some common end or purpose. There is no quality in human nature, which causes more fatal errors in our conduct, than that which leads us to prefer whatever is present to the distant and remote, and makes us desire objects more according to their situation than their intrinsic value. Two neighbors may agree to drain a meadow, which they possess in common; because it is easy for them to know each other's mind; and each must perceive, that the immediate consequence of his failing in his part, is the abandoning the whole project. But it is very difficult, and indeed impossible, that a thousand persons should agree in any such action; it being difficult for them to concert so complicated a design, and still more difficult for them to execute it; while each seeks a pretext to free himself of the trouble and expense, and would lay the whole burden on others. Political society easily remedies both these inconveniences. Magistrates find an immediate interest in the interest of any considerable part of their subjects. They need consult no body but themselves to form any scheme for the promoting of that interest. And as the failure of any one piece in the execution is connected, though not immediately, with the failure of the whole, they prevent that failure, because they find no interest in it, either immediate or remote. Thus bridges are built; harbors opened; ramparts raised; canals formed; fleets equipped; and armies disciplined; every where, by the care of government, which, though composed of men subject to all human infirmities, becomes, by one of the finest and most subtle inventions imaginable, a composition, which is, in some measure, exempted from all these infirmities.

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An Enquiry Concerning the Principles of Morals (1751)

Appendix 3: Some Farther Considerations with Regard to Justice

The intention of this Appendix is to give some more particular explication of the origin and nature of Justice, and to mark some differences between it and the other virtues.

The social virtues of humanity and benevolence exert their influence immediately by a direct tendency or instinct, which chiefly keeps in view the simple object, moving the affections, and comprehends not any scheme or system, nor the consequences resulting from the concurrence, imitation, or example of others. A parent flies to the relief of his child; transported by that natural sympathy which actuates him, and which affords no leisure to reflect on the sentiments or conduct of the rest of mankind in like circumstances. A generous man cheerfully embraces an opportunity of serving his friend; because he then feels himself under the dominion of the beneficent affections, nor is he concerned whether any other person in the universe were ever before actuated by such noble motives, or will ever afterwards prove their influence. In all these cases the social passions have in view a single individual object, and pursue the safety or happiness alone of the person loved and esteemed. With this they are satisfied: in this they acquiesce. And as the good, resulting from their benign influence, is in itself complete and entire, it also excites the moral sentiment of approbation, without any reflection on farther consequences, and without any more enlarged views of the concurrence or imitation of the other members of society. On the contrary, were the generous friend or disinterested patriot to stand alone in the practice of beneficence, this would rather enhance his value in our eyes, and join the praise of rarity and novelty to his other more exalted merits.

The case is not the same with the social virtues of justice and fidelity. They are highly useful, or indeed absolutely necessary to the well-being of mankind: but the benefit resulting from them is not the consequence of every individual single act; but arises from the whole scheme or system concurred in by the whole, or the greater part of the society. General peace and order are the attendants of justice or a general abstinence from the possessions of others; but a particular regard to the particular right of one individual citizen may frequently, considered in itself, be productive of pernicious consequences. The result of the individual acts is here, in many instances, directly opposite to that of the whole system of actions; and the former may be extremely hurtful, while the latter is, to the highest degree, advantageous. Riches, inherited from a parent, are, in a bad man's hand, the instrument of mischief. The right of succession[1] may, in one instance, be hurtful. Its benefit arises only from the observance of the general rule; and it is sufficient, if compensation be thereby made for all the ills and inconveniences which flow from particular characters and situations.

Cyrus, young and inexperienced, considered only the individual case before him, and reflected on a limited fitness and convenience, when he assigned the long coat to the tall boy, and the short coat to the other of smaller size. His governor instructed him better, while he pointed out more enlarged views and consequences, and informed his pupil of the general, inflexible rules, necessary to support general peace and order in society.[2]

The happiness and prosperity of mankind, arising from the social virtue of benevolence and its subdivisions, may be compared to a wall, built by many hands, which still rises by each stone that is heaped upon it, and receives increase proportional to the diligence and care of each workman. The same happiness, raised by the social virtue of justice and its subdivisions, may be compared to the building of a vault,[3] where each individual stone would, of itself, fall to the ground; nor is the whole fabric supported but by the mutual assistance and combination of its corresponding parts.

All the laws of nature, which regulate property, as well as all civil laws, are general, and regard alone some essential circumstances of the case, without taking into consideration the characters, situations, and connections of the person concerned, or any particular consequences which may result from the determination of these laws in any particular case which offers. They deprive, without scruple, a beneficent man of all his possessions, if acquired by mistake, without a good title; in order to bestow them on a selfish miser, who has already heaped up immense stores of superfluous riches. Public utility requires that property should be regulated by general inflexible rules; and though such rules are adopted as best serve the same end of public utility, it is impossible for them to prevent all particular hardships, or make beneficial consequences result from every individual case. It is sufficient, if the whole plan or scheme be necessary to the support of civil society, and if the balance of good, in the main, do thereby preponderate much above that of evil. Even the general laws of the universe, though planned by infinite wisdom, cannot exclude all evil or inconvenience in every particular operation.

It has been asserted by some, that justice arises from Human Conventions, and proceeds from the voluntary choice, consent, or combination of mankind. If by *convention* be here meant a *promise* (which is the most usual sense of the word) nothing can be more absurd than this position. The observance of promises is itself one of the most considerable parts of justice, and we are not surely bound to keep our word because we have given our word to keep it. But if by convention be meant a sense of common interest, which sense each man feels in his own breast, which he remarks in his fellows, and which carries him, in concurrence with others, into a general plan or system of actions, which tends to public utility; it must be owned, that, in this sense, justice arises from human conventions. For if it be allowed (what is, indeed, evident) that the particular consequences of a particular act of justice may be hurtful to the public as well as to individuals; it follows that every man, in embracing that virtue, must have an eye to the whole plan or system, and must expect the concurrence of his fellows in the same conduct and behavior. Did all his views terminate in the consequences of each act of his own, his benevolence and humanity, as well as his self-love, might often prescribe to him measures of conduct very different from those which are agreeable to the strict rules of right and justice.

Thus, two men pull the oars of a boat by common convention for common interest, without any promise or contract; thus gold and silver are made the measures of exchange; thus speech and words and language are fixed by human convention and agreement. Whatever is advantageous to two or more persons, if all perform their part; but what loses all advantage if only one perform, can arise from no other principle. There would otherwise be no motive for any one of them to enter into that scheme of conduct.[1]

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[1] *right of succession* Principle determining inheritance of an estate, an office, a title, etc.; the primary use of this term, which Hume may have had in mind here, is with reference to the rules determining who takes over at the death of a monarch.

[2] *Cyrus ... in society* This story, found in Xenophon's *Memorabilia*, concerns the young prince who would become Cyrus the Great, ruler of Persia (sixth century BCE). A big boy has taken a coat that fitted him from the small boy by force, and given him his smaller one; Cyrus, asked by his teacher to judge this case, decides that the situation is just because both coats fit; but his teacher corrects him, telling him that all that is relevant here is enforcing the law against violent appropriation of someone else's property.

[3] *vault* Arched roof or ceiling.

The word *natural* is commonly taken in so many senses and is of so loose a signification, that it seems vain to dispute whether justice be natural or not. If self-love, if benevolence be natural to man; if reason and forethought be also natural; then may the same epithet be applied to justice, order, fidelity, property, society. Men's inclination, their necessities, lead them to combine; their understanding and experience tell them that this combination is impossible where each governs himself by no rule, and pays no regard to the possessions of others: and from these passions and reflections conjoined, as soon as we observe like passions and reflections in others, the sentiment of justice, throughout all ages, has infallibly and certainly had place to some degree or other in every individual of the human species. In so sagacious an animal, what necessarily arises from the exertion of his intellectual faculties may justly be esteemed natural.[2]

Among all civilized nations it has been the constant endeavor to remove everything arbitrary and partial from the decision of property, and to fix the sentence of judges by such general views and considerations as may be equal to every member of society. For besides, that nothing could be more dangerous than to accustom the bench, even in the smallest instance, to regard private friendship or enmity; it is certain, that men, where they imagine that there was no other reason for the preference of their adversary but personal favor, are apt to entertain the strongest ill-will against the magistrates and judges. When natural reason, therefore, points out no fixed view of public utility by which a controversy of property can be decided, positive laws[3] are often framed to supply its place, and direct the procedure of all courts of judicature. Where these too fail, as often happens, precedents are called for; and a former decision, though given itself without any sufficient reason, justly becomes a sufficient reason for a new decision. If direct laws and precedents be wanting, imperfect and indirect ones are brought in aid; and the controverted[4] case is ranged under them by analogical reasonings and comparisons, and similitudes, and correspondencies, which are often more fanciful than real. In general, it may safely be affirmed that jurisprudence is, in this respect, different from all the sciences; and that in many of its nicer[5] questions, there cannot properly be said to be truth or falsehood on either side. If one pleader bring the case under any former law or precedent, by a refined analogy or comparison; the opposite pleader is not at a loss to find an opposite analogy or comparison: and the preference given by the judge is often founded more on taste and imagination than on any solid argument. Public utility is the general object of all courts of judicature; and this utility too requires a stable rule in all controversies: but where several rules, nearly equal and indifferent,[1] present themselves, it is a very slight turn of thought which fixes the decision in favor of either party.[2]

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[1] *Whatever is ... conduct* [Hume's note] This theory concerning the origin of property, and consequently of justice, is, in the main, the same with that hinted at and adopted by Grotius, "Hence a notion may be formed of the reason why men departed from the primeval state of holding all things in common, attaching the ideas of property, first to moveable and next to immoveable things. When the inhabitants of the earth began to acquire a taste for more delicate fare than the spontaneous productions of the ground, and to look for more commodious habitations than caves, or the hollow of trees, and to long for more elegant clothing than the skins of wild beasts, industry became necessary to supply those wants, and each individual began to apply his attention to some particular art. The distance of the places too, into which men were dispersed, prevented them from carrying the fruits of the earth to a common stock, and in the next place, the want of just principle and equitable kindness would destroy that equality which ought to subsist both in the labor of producing and consuming the necessaries of life. At the same time, we learn how things passed from being held in common to a state of property. It was not by the act of the mind alone that this change took place. For men in that case could never know, what others intended to appropriate to their own use, so as to exclude the claim of every other pretender to the same; and many too might desire to possess the same thing. Property therefore must have been established either by express agreement, as by division, or by tacit consent, as by occupancy (Hugo Grotius, *The Rights of War and Peace including the Law of Nature and of Nations*) [625; trans. A.C. Campbell, 1901]. [Grotius (1583–1645), also known as Huig de Groot, was an important Dutch philosopher, jurist, and natural law theorist. This work was influential in establishing the idea of international law.]

[2] *esteemed natural* [Hume's note] Natural may be opposed, either to what is UNUSUAL, MIRACULOUS or ARTIFICIAL. In the two former senses, justice and property are undoubtedly natural. But as they suppose reason, forethought, design, and a social union and confederacy among men, perhaps that epithet cannot strictly, in the last sense, be applied to them. Had men lived without society, property had never been known, and neither justice nor injustice had ever existed. But society among human creatures had been impossible without reason and forethought. Inferior animals, that unite, are guided by instinct, which supplies the place for reason. But all these disputes are merely verbal.

[3] *positive laws* Laws of social origin, explicitly enacted by government or laid down by custom; the contrast here is usually with *natural* laws: rules discovered or created by natural reason.

[4] *controverted* Disputed.

[5] *nicer* More subtle, involving close consideration and minute distinctions; not obvious.

We may just observe, before we conclude this subject, that after the laws of justice are fixed by views of general utility, the injury, the hardship, the harm, which result to any individual from a violation of them, enter very much into consideration, and are a great source of that universal blame which attends every wrong or iniquity. By the laws of society, this coat, this horse is mine, and *ought* to remain perpetually in my possession: I reckon on the secure enjoyment of it: by depriving me of it, you disappoint my expectations, and doubly displease me, and offend every bystander. It is a public wrong, so far as the rules of equity are violated: it is a private harm, so far as an individual is injured. And though the second consideration could have no place, were not the former previously established: for otherwise the distinction of *mine* and *thine* would be unknown in society: yet there is no question but the regard to general good is much enforced by the respect to particular. What injures the community, without hurting any individual, is often more lightly thought of. But where the greatest public wrong is also conjoined with a considerable private one, no wonder the highest disapprobation attends so iniquitous a behavior.

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[1] *indifferent* Equally apt.

[2] *either party* [Hume's note] That there be a separation or distinction of possessions, and that this separation be steady and constant; this is absolutely required by the interests of society, and hence the origin of justice and property. What possessions are assigned to particular persons; this is, generally speaking, pretty indifferent; and is often determined by very frivolous views and considerations. We shall mention a few particulars.

Were a society formed among several independent members, the most obvious rule, which could be agreed on, would be to annex property to *present* possession, and leave every one a right to what he at present enjoys. The relation of possession, which takes place between the person and the object, naturally draws on the relation of property.

For a like reason, occupation or first possession becomes the foundation of property.

Where a man bestows labor and industry upon any object, which before belonged to no body; as in cutting down and shaping a tree, in cultivating a field, &c., the alterations, which he produces, causes a relation between him and the object, and naturally engages us to annex it to him by the new relation of property. This cause here concurs with the public utility, which consists in the encouragement given to industry and labor.

Perhaps too, private humanity towards the possessor concurs, in this instance, with the other motives, and engages us to leave with him what he has acquired by his sweat and labor; and what he has flattered himself in the constant enjoyment of. For though private humanity can, by no means, be the origin of justice; since the latter virtue so often contradicts the former; yet when the rule of separate and constant possession is once formed by the indispensable necessities of society, private humanity, and an aversion to the doing a hardship to another, may, in a particular instance, give rise to a particular rule of property.

I am much inclined to think, that the right succession or inheritance much depends on those connections of the imagination, and that the relation to a former proprietor begetting a relation to the object, is the cause why the property is transferred to a man after the death of his kinsman. It is true; industry is more encouraged by the transference of possession to children or near relations: but this consideration will only have place in a cultivated society; whereas the right of succession is regarded even among the greatest Barbarians.

Acquisition of property by accession can be explained no way but by having recourse to the relations and connections of the imaginations. [*Accession* refers to an assortment of legal conventions for ownership of property. For example, one can come to own new property: by growth out of, or construction from, old property (as one owns the apples produced by one's apple tree, or as one owns the wine one makes out of one's grapes); more complicated cases arise when one person constructs something out of someone else's raw materials, and ownership of the product is contested.]

The property of rivers, by the laws of most nations, and by the natural turn of our thoughts, is attributed to the proprietors of their banks, excepting such vast rivers as the Rhine or the Danube, which seem too large to follow as an accession to the property of the neighboring fields. Yet even these rivers are considered as the property of that nation, through whose dominions they run; the idea of a nation being of a suitable bulk to correspond with them, and bear them such a relation in the fancy.

The accessions, which are made to land, bordering upon rivers, follow the land, say the civilians, provided it be made by what they call alluvion, that is, insensibly and imperceptibly; which are circumstances, that assist the imagination in the conjunction. [*Alluvion* is the formation of new land by the slow and imperceptible action of flowing water; in law, provided this action has been slow and imperceptible, this added land is considered to be the property of the owner of the land to which it is annexed.]

Where there is any considerable portion torn at once from one bank and added to another, it becomes not his property, whose land it falls on, till it unite with the land, and till the trees and plants have spread their roots into both. Before that, the thought does not sufficiently join them.

In short, we must ever distinguish between the necessity of a separation and constancy in men's possession, and the rules, which assign particular objects to particular persons. The first necessity is obvious, strong, and invincible: the latter may depend on a public utility more light and frivolous, on the sentiment of private humanity and aversion to private hardship, on positive laws, on precedents, analogies, and very fine connections and turns of the imagination.

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Of the Original Contract (1748)

As no party, in the present age, can well support itself without a philosophical or speculative system of principles annexed to its political or practical one, we accordingly find, that each of the factions into which this nation is divided has reared up a fabric of the former kind, in order to protect and cover that scheme of actions which it pursues. The people being commonly very rude builders, especially in this speculative way, and more especially still when actuated by party-zeal, it is natural to imagine that their workmanship must be a little unshapely, and discover evident marks of that violence and hurry in which it was raised. The one party, by tracing up government to the Deity, endeavored to render it so sacred and inviolate, that it must be little less than sacrilege, however, tyrannical it may become, to touch or invade it in the smallest article. The other party,[1] by founding government altogether on the consent of the people, suppose that there is a kind of *original contract*, by which the subjects have tacitly reserved the power of resisting their sovereign, whenever they find themselves aggrieved by that authority, with which they have, for certain purposes, voluntarily entrusted him. These are the speculative principles of the two parties, and these, too, are the practical consequences deduced from them.

I shall venture to affirm, *That both these systems of speculative principles are just; though not in the sense intended by the parties*: and, *That both the* schemes *of practical consequences are prudent; though not in the extremes to which each party, in opposition to the other, has commonly endeavored to carry them.*

That the Deity is the ultimate author of all government, will never be denied by any, who admit a general providence, and allow, that all events in the universe are conducted by an uniform plan, and directed to wise purposes. As it is impossible for the human race to subsist, at least in any comfortable or secure state, without the protection of government, this institution must certainly have been intended by that beneficent Being, who means the good of all his creatures: and as it has universally, in fact, taken place, in all countries, and all ages, we may conclude, with still greater certainty, that it was intended by that omniscient Being who can never be deceived by any event or operation. But since he gave rise to it, not by any particular or miraculous interposition, but by his concealed and universal efficacy, a sovereign cannot, properly speaking, be called his vicegerent in any other sense than every power or force, being derived from him, may be said to act by his commission. Whatever actually happens is comprehended in the general plan or intention of Providence; nor has the greatest and most lawful prince any more reason, upon that account, to plead a peculiar sacredness or inviolable authority, than an inferior magistrate, or even an usurper, or even a robber and a pirate. The same Divine Superintendent, who, for wise purposes, invested a Titus or a Trajan with authority, did also, for purposes no doubt equally wise, though unknown, bestow power on a Borgia or an Angria.[2] The same causes, which gave rise to the sovereign power in every state, established likewise every petty jurisdiction in it, and every limited authority. A constable, therefore, no less than a king, acts by a divine commission, and possesses an indefeasible right.

When we consider how nearly equal all men are in their bodily force, and even in their mental powers and faculties, till cultivated by education, we must necessarily allow, that nothing but their own consent could, at first, associate them together, and subject them to any authority. The people, if we trace government to its first origin in the woods and deserts, are the source of all power and jurisdiction, and voluntarily, for the sake of peace and order, abandoned their native liberty, and received laws from their equal and companion. The conditions upon which they were willing to submit, were either expressed, or were so clear and obvious, that it might well be esteemed superfluous to express them. If this, then, be meant by the *original contract*, it cannot be denied, that all government is, at first, founded on a contract, and that the most ancient rude combinations of mankind were formed chiefly by that principle. In vain are we asked in what records this charter of our liberties is registered. It was not written on parchment, nor yet on leaves or barks of trees. It preceded the use of writing, and all the other civilized arts of life. But we trace it plainly in the nature of man, and in the equality, or something approaching equality, which we find in all the individuals of that species. The force, which now prevails, and which is founded on fleets and armies, is plainly political, and derived from authority, the effect of established government. A man's natural force consists only in the vigor of his limbs, and the firmness of his courage; which could never subject multitudes to the command of one. Nothing but their own consent, and their sense of the advantages resulting from peace and order, could have had that influence.

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[1] *one party ... The other party* The Tories and the Whigs, respectively.

[2] *Titus ... Angria* Titus Flavius Vespasianus (39–81 CE) and Marcus Ulpius Traianus (c. 53–117 CE) were both emperors of Rome. Cesare Borgia (1476–1507) was an Italian cardinal, military leader, and ruler of part of northern Italy. His methods were a model for Machiavelli's prince. Tulagee Angria was the leader of a pirate family ruling the coast of India between Goa and Bombay; he was defeated by a British force in 1755. Hume contrasts the vicious cruelty of Borgia and the pirate with the reputation for humanity and enlightened rule of the two Roman emperors.

Yet even this consent was long very imperfect, and could not be the basis of a regular administration. The chieftain, who had probably acquired his influence during the continuance of war, ruled more by persuasion than command; and till he could employ force to reduce the refractory and disobedient, the society could scarcely be said to have attained a state of civil government. No compact or agreement, it is evident, was expressly formed for general submission; an idea far beyond the comprehension of savages: each exertion of authority in the chieftain must have been particular, and called forth by the present exigencies of the case: the sensible utility, resulting from his interposition, made these exertions become daily more frequent; and their frequency gradually produced a habitual, and, if you please to call it so, a voluntary, and therefore precarious, acquiescence in the people.

But philosophers, who have embraced a party (if that be not a contradiction in terms), are not contented with these concessions. They assert,[1] not only that government in its earliest infancy arose from consent, or rather the voluntary acquiescence of the people; but also that, even at present, when it has attained its full maturity, it rests on no other foundation. They affirm, that all men are still born equal, and owe allegiance to no prince or government, unless bound by the obligation and sanction of a *promise.* And as no man, without some equivalent, would forego the advantages of his native liberty, and subject himself to the will of another, this promise is always understood to be conditional, and imposes on him no obligation, unless he meet with justice and protection from his sovereign. These advantages the sovereign promises him in return; and if he fail in the execution, he has broken, on his part, the articles of engagement, and has thereby freed his subject from all obligations to allegiance. Such, according to these philosophers, is the foundation of authority in every government, and such the right of resistance possessed by every subject.

But would these reasoners look abroad into the world, they would meet with nothing that, in the least, corresponds to their ideas, or can warrant so refined and philosophical a system. On the contrary, we find every where princes who claim their subjects as their property, and assert their independent right of sovereignty, from conquest or succession. We find also everywhere subjects who acknowledge this right in their prince, and suppose themselves born under obligations of obedience to a certain sovereign, as much as under the ties of reverence and duty to certain parents. These connections are always conceived to be equally independent of our consent, in Persia and China; in France and Spain; and even in Holland and England, wherever the doctrines above-mentioned have not been carefully inculcated. Obedience or subjection becomes so familiar, that most men never make any inquiry about its origin or cause, more than about the principle of gravity, resistance, or the most universal laws of nature. Or if curiosity ever move them; as soon as they learn that they themselves and their ancestors have, for several ages, or from time immemorial, been subject to such a form of government or such a family, they immediately acquiesce, and acknowledge their obligation to allegiance. Were you to preach, in most parts of the world, that political connections are founded altogether on voluntary consent or a mutual promise, the magistrate would soon imprison you as seditious for loosening the ties of obedience; if your friends did not before shut you up as delirious, for advancing such absurdities. It is strange that an act of the mind, which every individual is supposed to have formed, and after he came to the use of reason too, otherwise it could have no authority; that this act, I say, should be so much unknown to all of them, that over the face of the whole earth, there scarcely remain any traces or memory of it.

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[1] *They assert* Hume has in mind here the "contractarian" philosophers, especially John Locke, who claimed that an original contract or (at least implied) consent of the governed, was the basis of legitimacy of government. Hume's account of their position is loosely adapted from that given in Locke's *Second Treatise.*

But the contract, on which government is founded, is said to be the *original contract*; and consequently may be supposed too old to fall under the knowledge of the present generation. If the agreement, by which savage men first associated and conjoined their force, be here meant, this is acknowledged to be real; but being so ancient, and being obliterated by a thousand changes of government and princes, it cannot now be supposed to retain any authority. If we would say any thing to the purpose, we must assert that every particular government which is lawful, and which imposes any duty of allegiance on the subject, was, at first, founded on consent and a voluntary compact. But, besides that this supposes the consent of the fathers to bind the children, even to the most remote generations (which republican writers will never allow), besides this, I say, it is not justified by history or experience in any age or country of the world.

Almost all the governments which exist at present, or of which there remains any record in story, have been founded originally, either on usurpation or conquest, or both, without any presence of a fair consent or voluntary subjection of the people. When an artful and bold man is placed at the head of an army or faction, it is often easy for him, by employing, sometimes violence, sometimes false presences, to establish his dominion over a people a hundred times more numerous than his partisans. He allows no such open communication, that his enemies can know, with certainty, their number or force. He gives them no leisure to assemble together in a body to oppose him. Even all those who are the instruments of his usurpation may wish his fall; but their ignorance of each other's intention keeps them in awe, and is the sole cause of his security. By such arts as these many governments have been established; and this is all the *original contract* which they have to boast of.

The face of the earth is continually changing, by the increase of small kingdoms into great empires, by the dissolution of great empires into smaller kingdoms, by the planting of colonies, by the migration of tribes. Is there any thing discoverable in all these events but force and violence? Where is the mutual agreement or voluntary association so much talked of?

Even the smoothest way by which a nation may receive a foreign master, by marriage or a will, is not extremely honorable for the people; but supposes them to be disposed of, like a dowry or a legacy, according to the pleasure or interest of their rulers.

But where no force interposes, and election takes place; what is this election so highly vaunted? It is either the combination of a few great men, who decide for the whole, and will allow of no opposition; or it is the fury of a multitude, that follow a seditious ringleader, who is not known, perhaps, to a dozen among them, and who owes his advancement merely to his own impudence, or to the momentary caprice of his fellows.

Are these disorderly elections, which are rare too, of such mighty authority as to be the only lawful foundation of all government and allegiance?

In reality, there is not a more terrible event than a total dissolution of government, which gives liberty to the multitude, and makes the determination or choice of a new establishment depend upon a number, which nearly approaches to that of the body of the people: for it never comes entirely to the whole body of them. Every wise man then wishes to see, at the head of a powerful and obedient army, a general who may speedily seize the prize, and give to the people a master which they are so unfit to choose for themselves. So little correspondent is fact and reality to those philosophical notions.

Let not the establishment at the Revolution[1] deceive us, or make us so much in love with a philosophical origin to government, as to imagine all others monstrous and irregular. Even that event was far from corresponding to these refined ideas. It was only the succession, and that only in the regal part of the government, which was then changed: and it was only the majority of seven hundred, who determined that change for near ten millions. I doubt not, indeed, but the bulk of those ten millions acquiesced willingly in the determination: but was the matter left, in the least, to their choice? Was it not justly supposed to be, from that moment, decided, and every man punished, who refused to submit to the new sovereign? How otherwise could the matter have ever been brought to any issue or conclusion?

The republic of Athens was, I believe, the most extensive democracy that we read of in history: yet if we make the requisite allowances for the women, the slaves, and the strangers, we shall find, that that establishment was not at first made, nor any law ever voted, by a tenth part of those who were bound to pay obedience to it; not to mention the islands and foreign dominions, which the Athenians claimed as theirs by right of conquest. And as it is well known that popular assemblies in that city were always full of license and disorder, not withstanding the institutions and laws by which they were checked; how much more disorderly must they prove, where they form not the established constitution, but meet tumultuously on the dissolution of the ancient government, in order to give rise to a new one? How chimerical must it be to talk of a choice in such circumstances?

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[1] *the establishment at the Revolution* The transfer of the British crown to William and Mary, and the establishment of rules for succession thereafter, in "the Glorious Revolution" of 1688–89. This was approved by parliamentary conventions, and Hume's reference to the "majority of seven hundred" apparently refers to those voting for this.

The Achæans enjoyed the freest and most perfect democracy of all antiquity; yet they employed force to oblige some cities to enter into their league, as we learn from Polybius.[1]

Harry the IVth and Harry the VIIth of England,[2] had really no title to the throne but a parliamentary election; yet they never would acknowledge it, lest they should thereby weaken their authority. Strange, if the only real foundation of all authority be consent and promise?

It is in vain to say, that all governments are, or should be, at first, founded on popular consent, as much as the necessity of human affairs will admit. This favors entirely my pretension. I maintain, that human affairs will never admit of this consent, seldom of the appearance of it; but that conquest or usurpation, that is, in plain terms, force, by dissolving the ancient governments, is the origin of almost all the new ones which were ever established in the world. And that in the few cases where consent may seem to have taken place, it was commonly so irregular, so confined, or so much intermixed either with fraud or violence, that it cannot have any great authority.

My intention here is not to exclude the consent of the people from being one just foundation of government where it has place. It is surely the best and most sacred of any. I only pretend, that it has very seldom had place in any degree, and never almost in its full extent; and that, therefore, some other foundation of government must also be admitted.

Were all men possessed of so inflexible a regard to justice, that, of themselves, they would totally abstain from the properties of others; they had for ever remained in a state of absolute liberty, without subjection to any magistrate or political society: but this is a state of perfection, of which human nature is justly deemed incapable. Again, were all men possessed of so perfect an understanding as always to know their own interests, no form of government had ever been submitted to but what was established on consent, and was fully canvassed by every member of the society: but this state of perfection is likewise much superior to human nature. Reason, history, and experience show us, that all political societies have had an origin much less accurate and regular; and were one to choose a period of time when the people's consent was the least regarded in public transactions, it would be precisely on the establishment of a new government. In a settled constitution their inclinations are often consulted; but during the fury of revolutions, conquests, and public convulsions, military force or political craft usually decides the controversy.

When a new government is established, by whatever means, the people are commonly dissatisfied with it, and pay obedience more from fear and necessity, than from any idea of allegiance or of moral obligation. The prince is watchful and jealous, and must carefully guard against every beginning or appearance of insurrection. Time, by degrees, removes all these difficulties, and accustoms the nation to regard, as their lawful or native princes, that family which at first they considered as usurpers or foreign conquerors. In order to found this opinion, they have no recourse to any notion of voluntary consent or promise, which, they know, never was, in this case, either expected or demanded. The original establishment was formed by violence, and submitted to from necessity. The subsequent administration is also supported by power, and acquiesced in by the people, not as a matter of choice, but of obligation. They imagine not that their consent gives their prince a title: but they willingly consent, because they think, that, from long possession, he has acquired a title, independent of their choice or inclination.

Should it be said, that, by living under the dominion of a prince which one might leave, every individual has given a *tacit* consent to his authority, and promised him obedience; it may be answered, that such an implied consent can only have place where a man imagines that the matter depends on his choice. But where he thinks (as all mankind do who are born under established governments) that, by his birth, he owes allegiance to a certain prince or certain form of government; it would be absurd to infer a consent or choice, which he expressly, in this case, renounces and disclaims.

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[1] *as we learn from Polybius* Book 2, Chapter 38 of *The Rise of the Roman Empire*.

[2] *Harry the IVth and Harry the VIIth of England* Henry IV reigned from 1399 to 1413; Henry VII from 1485 to 1509. Neither acceded to the throne by the regular process of succession. (The name *Harry* is a familiar form of *Henry*.)

Can we seriously say, that a poor peasant or artisan has a free choice to leave his country, when he knows no foreign language or manners, and lives, from day to day, by the small wages which he acquires? We may as well assert that a man, by remaining in a vessel, freely consents to the dominion of the master; though he was carried on board while asleep, and must leap into the ocean and perish, the moment he leaves her.

What if the prince forbid his subjects to quit his dominions; as in Tiberius's time, it was regarded as a crime in a Roman knight that he had attempted to fly to the Parthians, in order to escape the tyranny of that emperor?[1] Or as the ancient Muscovites prohibited all traveling under pain of death? And did a prince observe, that many of his subjects were seized with the frenzy of migrating to foreign countries, he would, doubtless, with great reason and justice, restrain them, in order to prevent the depopulation of his own kingdom. Would he forfeit the allegiance of all his subjects by so wise and reasonable a law? Yet the freedom of their choice is surely, in that case, ravished from them.

A company of men, who should leave their native country, in order to people some uninhabited region, might dream of recovering their native freedom; but they would soon find, that their prince still laid claim to them, and called them his subjects, even in their new settlement. And in this he would but act conformably to the common ideas of mankind.

The truest *tacit* consent of this kind that is ever observed, is when a foreigner settles in any country, and is beforehand acquainted with the prince, and government, and laws, to which he must submit: yet is his allegiance, though more voluntary, much less expected or depended on, than that of a natural born subject. On the contrary, his native prince still asserts a claim to him. And if he punish not the renegade, where he seizes him in war with his new prince's commission; this clemency is not founded on the municipal law, which in all countries condemns the prisoner; but on the consent of princes, who have agreed to this indulgence, in order to prevent reprisals.

Did one generation of men go off the stage at once, and another succeed, as is the case with silkworms and butterflies, the new race, if they had sense enough to choose their government, which surely is never the case with men, might voluntarily, and by general consent, establish their own form of civil polity, without any regard to the laws or precedents which prevailed among their ancestors. But as human society is in perpetual flux, one man every hour going out of the world, another coming into it, it is necessary, in order to preserve stability in government, that the new brood should conform themselves to the established constitution, and nearly follow the path which their fathers, treading in the footsteps of theirs, had marked out to them. Some innovations must necessarily have place in every human institution; and it is happy where the enlightened genius of the age give these a direction to the side of reason, liberty, and justice: but violent innovations no individual is entitled to make: they are even dangerous to be attempted by the legislature: more ill than good is ever to be expected from them: and if history affords examples to the contrary, they are not to be drawn into precedent, and are only to be regarded as proofs, that the science of politics affords few rules, which will not admit of some exception, and which may not sometimes be controlled by fortune and accident. The violent innovations in the reign of Henry VIII[2] proceeded from an imperious monarch, seconded by the appearance of legislative authority: those in the reign of Charles I were derived from faction and fanaticism; and both of them have proved happy in the issue. But even the former were long the source of many disorders, and still more dangers; and if the measures of allegiance were to be taken from the latter, a total anarchy must have place in human society, and a final period at once be put to every government.

Suppose that an usurper, after having banished his lawful prince and royal family, should establish his dominion for ten or a dozen years in any country, and should preserve so exact a discipline in his troops, and so regular a disposition in his garrisons that no insurrection had ever been raised, or even murmur heard against his administration: can it be asserted that the people, who in their hearts abhor his treason, have tacitly consented to his authority, and promised him allegiance, merely because, from necessity, they live under his dominion? Suppose again their native prince restored, by means of an army, which he levies in foreign countries: they receive him with joy and exultation, and show plainly with what reluctance they had submitted to any other yoke. I may now ask, upon what foundation the prince's title stands? Not on popular consent surely: for though the people willingly acquiesce in his authority, they never imagine that their consent made him sovereign. They consent; because they apprehend him to be already by birth, their lawful sovereign. And as to that tacit consent, which may now be inferred from their living under his dominion, this is no more than what they formerly gave to the tyrant and usurper.

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[1] *as in ... of that emperor* [Hume's note] "Rubrius Fabatus was put under surveillance, on a suspicion that, in despair of the fortunes of Rome, he meant to throw himself on the mercy of the Parthians. He was, at any rate, found near the Straits of the Sicily, and, when dragged back by a centurion, he assigned no adequate reason for his long journey. Still, he lived on in safety, thanks to forgetfulness rather than to mercy" (Tacitus, *Annals*, Book 6, Chapter 14).

[2] *violent innovations in the reign of Henry VIII* Henry reigned from 1509 until his death in 1547. His "violent innovations" included breaking with the Roman Catholic Church, destroying the powerful monasteries, and installing himself as the spiritual leader of the Church of England.

When we assert, that all lawful government arises from the consent of the people, we certainly do them a great deal more honor than they deserve, or even expect and desire from us. After the Roman dominions became too unwieldy for the republic to govern them, the people over the whole known world were extremely grateful to Augustus for that authority which, by violence, he had established over them; and they showed an equal disposition to submit to the successor whom he left them by his last will and testament. It was afterwards their misfortune, that there never was, in one family, any long regular succession; but that their line of princes was continually broken, either by private assassinations or public rebellions. The *prætorian* bands, on the failure of every family, set up one emperor; the legions in the East a second; those in Germany, perhaps a third; and the sword alone could decide the controversy. The condition of the people in that mighty monarchy was to be lamented, not because the choice of the emperor was never left to them, for that was impracticable, but because they never fell under any succession of masters who might regularly follow each other. As to the violence, and wars, and bloodshed, occasioned by every new settlement, these were not blamable because they were inevitable.

The house of Lancaster ruled in this island about sixty years; yet the partisans of the white rose[1] seemed daily to multiply in England. The present establishment has taken place during a still longer period. Have all views of right in another family been utterly extinguished, even though scarce any man now alive had arrived at the years of discretion when it was expelled, or could have consented to its dominion, or have promised it allegiance?—a sufficient indication, surely, of the general sentiment of mankind on this head. For we blame not the partisans of the abdicated family merely on account of the long time during which they have preserved their imaginary loyalty. We blame them for adhering to a family which we affirm has been justly expelled, and which, from the moment the new settlement took place, had forfeited all title to authority.

But would we have a more regular, at least a more philosophical, refutation of this principle of an original contract, or popular consent, perhaps the following observations may suffice.

All *moral* duties may be divided into two kinds. The *first* are those to which men are impelled by a natural instinct or immediate propensity which operates on them, independent of all ideas of obligation, and of all views either to public or private utility. Of this nature are love of children, gratitude to benefactors, pity to the unfortunate. When we reflect on the advantage which results to society from such humane instincts, we pay them the just tribute of moral approbation and esteem: but the person actuated by them feels their power and influence antecedent to any such reflection.

The *second* kind of moral duties are such as are not supported by any original instinct of nature, but are performed entirely from a sense of obligation, when we consider the necessities of human society, and the impossibility of supporting it, if these duties were neglected. It is thus *justice*, or a regard to the property of others, *fidelity*, or the observance of promises, become obligatory, and acquire an authority over mankind. For as it is evident that every man loves himself better than any other person, he is naturally impelled to extend his acquisitions as much as possible; and nothing can restrain him in this propensity but reflection and experience, by which he learns the pernicious effects of that license, and the total dissolution of society which must ensue from it. His original inclination, therefore, or instinct, is here checked and restrained by a subsequent judgment or observation.

The case is precisely the same with the political or civil duty of *allegiance* as with the natural duties[2] of justice and fidelity. Our primary instincts lead us either to indulge ourselves in unlimited freedom, or to seek dominion over others; and it is reflection only which engages us to sacrifice such strong passions to the interests of peace and public order. A small degree of experience and observation suffices to teach us, that society cannot possibly be maintained without the authority of magistrates, and that this authority must soon fall into contempt where exact obedience is not paid to it. The observation of these general and obvious interests is the source of all allegiance, and of that moral obligation which we attribute to it.

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[1] *The house of Lancaster ... partisans of the white rose* The kings of the house of Lancaster were Henry IV, Henry V, and Henry VI; together they ruled from 1399 to 1461. Their emblem was the red rose; the white was that of their rivals, the house of York.

[2] *the natural duties* Hume's terminology here is somewhat puzzling, given his position as explained both here and at greater

What necessity, therefore, is there to found the duty of *allegiance* or obedience to magistrates on that of *fidelity* or a regard to promises, and to suppose, that it is the consent of each individual which subjects him to government, when it appears that both allegiance and fidelity stand precisely on the same foundation, and are both submitted to by mankind, on account of the apparent interests and necessities of human society? We are bound to obey our sovereign, it is said, because we have given a tacit promise to that purpose. But why are we bound to observe our promise? It must here be asserted, that the commerce and intercourse[1] of mankind, which are of such mighty advantage, can have no security where men pay no regard to their engagements. In like manner, may it be said that men could not live at all in society, at least in a civilized society, without laws, and magistrates, and judges, to prevent the encroachments of the strong upon the weak, of the violent upon the just and equitable. The obligation to allegiance being of like force and authority with the obligation to fidelity, we gain nothing by resolving the one into the other. The general interests or necessities of society are sufficient to establish both.

If the reason be asked of that obedience, which we are bound to pay to government, I readily answer, *Because society could not otherwise subsist*; and this answer is clear and intelligible to all mankind. Your answer is, *Because we should keep our word.* But besides, that no body, till trained in a philosophical system, can either comprehend or relish this answer; besides this, I say, you find yourself embarrassed when it is asked, *Why we are bound to keep our word?* Nor can you give any answer but what would, immediately, without any circuit, have accounted for our obligation to allegiance.

But *to whom is allegiance due? And who is our lawful sovereign?* This question is often the most difficult of any, and liable to infinite discussions. When people are so happy that they can answer, *Our present sovereign, who inherits, in a direct line, from ancestors that have governed us for many ages*, this answer admits of no reply, even though historians, in tracing up to the remotest antiquity the origin of that royal family, may find, as commonly happens, that its first authority was derived from usurpation and violence. It is confessed that private justice, or the abstinence from the properties of others, is a most cardinal virtue. Yet reason tells us that there is no property in durable objects, such as lands or houses, when carefully examined in passing from hand to hand, but must, in some period, have been founded on fraud and injustice. The necessities of human society, neither in private nor public life, will allow of such an accurate inquiry; and there is no virtue or moral duty but what may, with facility, be refined away, if we indulge a false philosophy in sifting and scrutinizing it, by every captious rule of logic, in every light or position in which it may be placed.

The questions with regard to private property have filled infinite volumes of law and philosophy, if in both we add the commentators to the original text; and in the end, we may safely pronounce, that many of the rules there established are uncertain, ambiguous, and arbitrary. The like opinion may be formed with regard to the succession and rights of princes, and forms of government. Several cases no doubt occur, especially in the infancy of any constitution, which admit of no determination from the laws of justice and equity; and our historian Rapin pretends, that the controversy between Edward the Third and Philip de Valois was of this nature, and could be decided only by an appeal to heaven, that is, by war and violence.[2]

Who shall tell me, whether Germanicus or Drusus ought to have succeeded to Tiberius,[3] had he died while

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length in the *Treatise* and in Appendix 3 of his *Enquiry Concerning the Principles of Morals*, that keeping promises and acting justly are "artificial," as opposed to "natural" virtues.

[1] *intercourse* Mutual exchange (of any sort).

[2] *Rapin pretends ... war and violence* Paul de Rapin-Thoyras (1661–1725), in *Histoire d'Angleterre* (1723–27). Charles IV of France died in 1328; if his then pregnant wife gave birth to a son, he would succeed to the throne; but an assembly was formed to appoint a successor if she gave birth to a daughter. The assembly rejected the claim of Edward III of England, Charles' nephew and nearest male relative, and appointed Charles' cousin Philip of Valois, who became king (as Philip VI) when a daughter was born.

[3] *Germanicus ... Tiberius* Tiberius, future emperor of Rome, adopted his nephew Germanicus in 13 BCE, as his son and suc-

they were both alive, without naming any of them for his successor? Ought the right of adoption to be received as equivalent to that of blood, in a nation where it had the same effect in private families, and had already, in two instances, taken place in the public? Ought Germanicus to be esteemed the elder son, because he was born before Drusus; or the younger, because he was adopted after the birth of his brother? Ought the right of the elder to be regarded in a nation, where he had no advantage in the succession of private families? Ought the Roman empire at that time to be deemed hereditary, because of two examples; or ought it, even so early, to be regarded as belonging to the stronger, or to the present possessor, as being founded on so recent an usurpation?

Commodus mounted the throne after a pretty long succession of excellent emperors, who had acquired their title, not by birth, or public election, but by the fictitious rite of adoption. That bloody debauchee being murdered by a conspiracy, suddenly formed between his wench and her gallant, who happened at that time to be *Prætorian Præfect*; these immediately deliberated about choosing a master to human kind, to speak in the style of those ages; and they cast their eyes on Pertinax. Before the tyrant's death was known, the *Præfect* went secretly to that senator, who, on the appearance of the soldiers, imagined that his execution had been ordered by Commodus. He was immediately saluted emperor by the officer and his attendants, cheerfully proclaimed by the populace, unwillingly submitted to by the guards, formally recognized by the senate, and passively received by the provinces and armies of the empire.

The discontent of the *Prætorian* bands broke out in a sudden sedition, which occasioned the murder of that excellent prince; and the world being now without a master, and without government, the guards thought proper to set the empire formally to sale. Julian, the purchaser, was proclaimed by the soldiers, recognized by the senate, and submitted to by the people; and must also have been submitted to by the provinces, had not the envy of the legions begotten opposition and resistance. Pescennius Niger in Syria elected himself emperor, gained the tumultuary consent of his army, and was attended with the secret good-will of the senate and people of Rome. Albinus in Britain found an equal right to set up his claim; but Severus, who governed Pannonia, prevailed in the end above both of them. That able politician and warrior, finding his own birth and dignity too much inferior to the imperial crown, professed, at first, an intention only of revenging the death of Pertinax. He marched as general into Italy, defeated Julian, and, without our being able to fix any precise commencement even of the soldiers' consent, he was from necessity acknowledged emperor by the senate and people, and fully established in his violent authority, by subduing Niger and Albinus.[1]

"*Inter hæc Gordianus Cæsar*" (says Capitolinus, speaking of another period) "*sublatus a militibus.* [Imperator] *est appellatus, quia non erat alius in præsenti.*"[2] It is to be remarked, that Gordian was a boy of fourteen years of age.

Frequent instances of a like nature occur in the history of the emperors; in that of Alexander's successors; and of many other countries: nor can any thing be more unhappy than a despotic government of this kind; where the succession is disjointed and irregular, and must be determined, on every vacancy, by force or election. In a free government, the matter is often unavoidable, and is also much less dangerous. The interests of liberty may there frequently lead the people, in their own defense, to alter the succession of the crown. And the constitution, being compounded of parts, may still maintain a sufficient stability, by resting on the aristocratical or democratical members, though the monarchical be altered, from time to time, in order to accommodate it to the former.

In an absolute government, when there is no legal prince who has a title to the throne, it may safely be determined to belong to the first occupant. Instances of this kind are but too frequent, especially in the eastern monarchies. When any race of princes expires, the will or destination of the last sovereign will be regarded as a title. Thus the edict of Louis the XIVth, who called the bastard princes to the

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cessor, though he already had a son Drusus. Tiberius became emperor in 14 CE and ruled till his death in 37. But Germinicus died in 19, leaving Drusus as heir, and Drusus died in 23; so neither became emperor.

[1] *He marched ... Albinus* [Hume's note] Herodian, Book 2. [Hume refers to Herodian's *History of the Empire from the Time of Marcus Aurelius*, written in 238 CE or afterward. Commodus was emperor of Rome 180–92 CE. Pertinax ruled for only three months after his death. The following power struggles mentioned took place during the next four years.]

[2] *Inter hæc ... in præsenti* [Hume's note] "In the meantime, Gordianus Caesar was lifted up by the soldiers and named ["Augustus" in the original, meaning *emperor*] because there was nobody else at the moment." [Hume is quoting from Julius Capitolinus, *Maximus et Balbinus,* sec. 14, in *Scriptores Historiae Augustae.* Gordian II was killed after serving as emperor for all of three weeks in 238 CE.]

succession in case of the failure of all the legitimate princes, would, in such an event, have some authority.[1] Thus the will of Charles the Second disposed of the whole Spanish monarchy. The cession of the ancient proprietor, especially when joined to conquest, is likewise deemed a good title. The general obligation, which binds us to government, is the interest and necessities of society; and this obligation is very strong. The determination of it to this or that particular prince, or form of government, is frequently more uncertain and dubious. Present possession has considerable authority in these cases, and greater than in private property; because of the disorders which attend all revolutions and changes of government.

We shall only observe, before we conclude, that though an appeal to general opinion may justly, in the speculative sciences of metaphysics, natural philosophy, or astronomy, be deemed unfair and inconclusive, yet in all questions with regard to morals, as well as criticism, there is really no other standard, by which any controversy can ever be decided. And nothing is a clearer proof, that a theory of this kind is erroneous, than to find, that it leads to paradoxes repugnant to the common sentiments of mankind, and to the practice and opinion of all nations and all ages. The doctrine, which founds all lawful government on an *original contract*, or consent of the people, is plainly of this kind; nor has the most noted of its partisans, in prosecution of it, scrupled to affirm, *that absolute monarchy is inconsistent with civil society, and so can be no form of civil government at all;*[2] and *that the supreme power in a state cannot take from any man, by taxes and impositions, any part of his property, without his own consent or that of his representatives.*[3] What authority any moral reasoning can have, which leads into opinions so wide of the general practice of mankind, in every place but this single kingdom, it is easy to determine.

The only passage I meet with in antiquity, where the obligation of obedience to government is ascribed to a promise, is in Plato's *Crito*; where Socrates refuses to escape from prison, because he had tacitly promised to obey the laws. Thus he builds a *Tory* consequence of passive obedience on a *Whig*[4] foundation of the original contract.

New discoveries are not to be expected in these matters. If scarce any man, till very lately, ever imagined that government was founded on compact, it is certain that it cannot, in general, have any such foundation.

The crime of rebellion among the ancients was commonly expressed by the terms νεοτεριζειν, νουας ρες μολιρι *novas res moliri.*[5]

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[1] *Thus the edict ... some authority* [Hume's note] It is remarkable, that in the remonstrance of the Duke of Bourbon and the legitimate princes, against this destination of Louis the XIVth, the doctrine of the *original contract* is insisted on even in that absolute government. The French nation, say they, choosing Hugh Capet and his posterity to rule over them and their posterity, where the former line fails, there is a tacit right reserved to choose a new royal family; and this right is invaded by calling the bastard princes to the throne, without the consent of the nation. But the Comte de Boulainvilliers, who wrote in defense of the bastard princes, ridicules this notion of an original contract, especially when applied to Hugh Capet; who mounted the throne, says he, by the same arts which have ever been employed by all conquerors and usurpers. He got his title, indeed, recognized by the states after he had put himself in possession: but is this a choice or contract? The Comte de Boulainvilliers, we may observe, was a noted republican; but being a man of learning, and very conversant in history, he knew that the people were almost never consulted in these revolutions and new establishments, and that time alone bestowed right and authority on what was commonly at first founded on force and violence. See *État de la France*, vol. 3. [Hume refers to Henri de Boulainvilliers' book of 1727.]

[2] *The doctrine ... at all* [Hume's note] See Locke on Government, chapter 7, §90. [Hume paraphrases Locke.]

[3] *that the supreme ... representatives* [Hume's note] Ibid., chapter 9, §138, 139, 140.

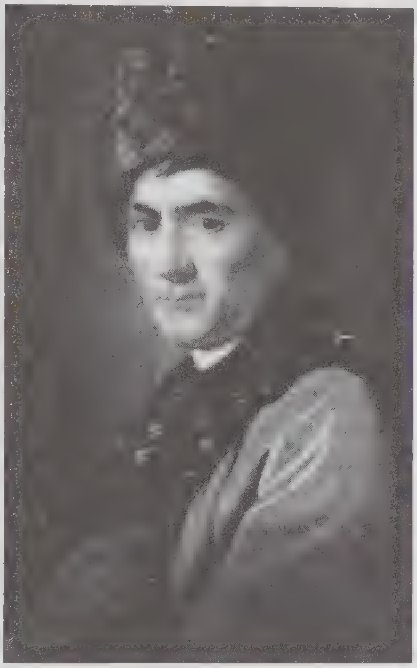
[4] *Tory ... Whig* In Hume's time, the Tories believed that kings were owed allegiance because they were ordained to rule by God; and the Whigs argued that monarchs' rule was contingent upon consent of the governed (or, at least, of the important citizens). Unquestioned "passive obedience" is thus more closely associated with the former.

[5] *terms ... novas res moliri* The Greek and Latin terms both mean to make changes, especially political ones.

JEAN-JACQUES ROUSSEAU
(1712 – 1778)

Who Was Jean-Jacques Rousseau?

Jean-Jacques Rousseau was the son of a watchmaker from the independent Calvinist republic of Geneva (today part of Switzerland). As a young man Rousseau's first love was music, and he composed several quite successful operas. But in his late thirties he, almost accidentally, began a new career as an essayist, and by the time of his death in 1778 he was one of the most famous intellectuals in Europe and a leading figure of the French Enlightenment. His ideas also influenced the growth of both socialism and nationalism, and his fictional and autobiographical works were an important influence on Romanticism.



Rousseau was born in 1712, and his mother died from complications from his birth. Jean-Jacques was raised by his sentimental, apparently rather irresponsible, father until he was ten. (His older brother, his only sibling, ran away from home when Jean-Jacques was still young.) In 1722 his father was involved in an illegal duel with a French captain and had to flee Geneva, leaving his son in the care of his uncle. His uncle, in turn, placed young Jean-Jacques with the pastor of a nearby village, M. Lambercier, where he was regularly beaten by the pastor's sister but also, he later wrote, came to develop an abiding love of the countryside. In 1725 Rousseau returned to Geneva and was apprenticed to an engraver, Abel Ducommun, who features in Rousseau's autobiographical *Confessions* as a violent and ignorant master.

Throughout his childhood, then, Rousseau had virtually no formal education. However, his father did teach him to read, and Rousseau later recalled reading classical literature (such as Plutarch's *Lives*) with his father in a public garden as the most tranquil part of growing up.

In 1728, aged fifteen, Rousseau abruptly decided to leave Geneva and seek his fortune in the wider world. A Catholic priest sent him to see Françoise-Louise de la Tour, Baronne de Warens, who had been given money by the House of Savoy to attempt to secure converts to Catholicism as a buffer against the influence of Protestant Geneva. In order to win her patronage and secure an education for himself Rousseau converted to Catholicism (which forced him to give up his Genevan citizenship) and Madame de Warens sent him to study in Turin, where Rousseau supported himself through a series of odd jobs.[1] A year later Rousseau returned to Madame de Warens in Annecy and lived with her for the following eight years. After a few years they became lovers, although de Warens was thirteen years older than Rousseau (and he continued to call her "maman"). Rousseau spent this period reading, educating himself, and developing a passion for music.

In 1738 de Warens broke off their romantic relationship, and in 1740 Rousseau moved to Lyons to serve as a private tutor. This did not last long—Rousseau did not take to the work—and soon he moved again, this time to Paris, where he presented a paper on musical notation to the Academy of Sciences and embarked on his career as a composer. In 1743 he went to Venice as secretary to the French Ambassador, but Rousseau quarreled with his master (who was lazy, and neglected to pay him) and returned to Paris. The experience remained with him, however; he was impressed by Venice's republican form of government yet struck by the corrupting effects of luxury and special-interest politics. At this time he also began his lifelong relationship with a semi-literate linen-maid named Thérèse Levasseur. (They eventually married in 1768; they had several children together, all of whom—to Rousseau's belated shame—were abandoned as infants to a Parisian orphanage, where they most likely soon died.)

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[1] Rousseau reports in his *Confessions* one incident from this time that, he said, haunted him the rest of his life: he stole a ribbon and put the blame on an innocent serving girl.

Rousseau's literary career finally began in 1749 when he noticed an essay competition in the newspaper on the question: have advances in the sciences and arts improved morals? Although he was on his way to visit his friend Denis Diderot, imprisoned near Paris for what seemed to the authorities to be his relativistic anti-religious writings (he was later to edit the famous French rationalist *Encyclopédie*), Rousseau was so overwhelmed with ideas about this topic, he tells us, that he had to stop his journey and write an essay for the competition. His main argument in that essay—*Discourse on the Sciences and Arts* (1750)—was that, far from being improved, human morals had been corrupted and weakened by advances in the sciences and culture. The essay won the prize, and set the tone for the rest of Rousseau's life's work.

Rousseau followed up his essay with another on similar questions, *Discourse on the Origin of Inequality* (1755)[1] and retired to the countryside, away from Parisian society, in order to think and write. (A cottage in the valley of Montmorency was bought for him by writer Louise d'Épinay, with whom Rousseau had an affair.) These were his most productive years, during which he wrote on educational theory (*Émile*, 1762), political philosophy (*On Political Economy*, 1755; *On the Social Contract*, 1762), and a novel (*Julie, ou la Nouvelle Héloïse*, 1761). *La Nouvelle Héloïse* was one of the best-selling novels of its time—indeed, one of the best-selling of the eighteenth century—and was an important influence on the aesthetic movement called Romanticism. Rousseau also returned to the Protestant faith and reclaimed his Genevan citizenship (only to renounce it again in 1764).

During these years, Rousseau gradually became estranged from most of his old friends and supporters, including Diderot and the *Encyclopédistes*, and Madame d'Épinay, though he was able to secure the new patronage of such wealthy and powerful figures as the Duc de Luxembourg and Frederick the Great of Prussia.

In his writings of the late 1750s and early 1760s, Rousseau made a number of radical proposals. Perhaps the most striking, given the extraordinary neglect he had displayed towards his own children, were those concerning childhood education. Rousseau called on society to show far greater respect—even reverence—for children and the state of childhood. Such views brought him unwelcome and unfriendly attention from the French church and state, who considered them anti-religious. In 1762—after *The Social Contract* and *Émile* were condemned and publicly burned by the Archbishop and *Parlement* of Paris—he was forced to flee to Switzerland, only to find his writings condemned in Geneva also.

Rousseau spent much of the following fourteen years suffering from depression and even paranoia. During this period he wrote his autobiographical *Confessions*, a work saturated with apology and self-justification.[2] He abandoned Geneva for the nearby Prussian principality of Neuchâtel, and then—after being drummed out of there by clergy-led peasant protests against him—spent a year in Britain as a guest of philosopher David Hume, who offered him sanctuary, but left after becoming convinced (wrongly) that Hume was planning to publicly humiliate him.[3] In 1767, Rousseau returned to France incognito, more or less a broken man and he lived in seclusion in Grenoble, under the assumed name Renou, cared for by Levasseur. In addition to his various self-justificatory writings of this period, Rousseau also developed an interest in, and wrote about, botany.

The final years of Rousseau's life were somewhat less anguished. Though he continued to be banned from publishing or speaking publicly on anything controversial, his reputation was gradually resuscitated and in 1770 he was able to return to Paris as a literary celebrity. In 1776 he was knocked down by a dog while out walking (he was now in his mid-sixties). Oddly, this accident seems to have had the unexpected effect of clearing away his mental distress, and during his final two years he wrote *Reveries of the Solitary Walker*, a calmer, clearer reflection on his life and experiences.

After his sudden death, while studying plants, he was buried at Erménonville, north of Paris (where he was staying at the time of his death). But in 1794, at the feverish height of the French Revolution, his ashes were transported, in a dramatic torchlit procession, into the heart of Paris and laid in the Panthéon—a mausoleum reserved for France's greatest intellectual heroes—across from the remains of Voltaire.

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[1] Like the first discourse, this essay was written as an entry for the Academy of Dijon's essay contest. Rousseau considered it the better work but, this time, the Academy's judges were irritated by its length and boldness and did not even finish reading it.

[2] To complete his misery Rousseau also suffered for most of his adult life from constriction of the urethra, which caused him great pain.

[3] An exchange of letters, in which Rousseau accused his erstwhile host of treachery, was published in France to widespread titillation.

What Was Rousseau's Overall Philosophical Project?

Rousseau's modern reputation rests on his work on ethics, social-political thought, and education. One of his key themes is the liberty of the individual with respect to the state; one of the remarks most frequently quoted from his writings is the opening line from *The Social Contract*: "Man is born free; and everywhere he is in chains" (*L'homme est né libre, et partout il est dans les fers*). A second theme of Rousseau's philosophical works is the principle of the innate goodness of human beings in their natural state. A third abiding preoccupation for Rousseau is the distorting effect of social prestige. The search for individual distinction, according to Rousseau, leads people to pursue vain and useless activities, and to belittle and keep down those around them, instead of working for the common good. This theme is explored especially in Rousseau's *Discourse on the Origin and Foundations of Inequality among Men* (1755). In his work on education, especially *Émile* (1762), he tried to describe a manner of educating children—or at least boys—that would encourage them to cooperate with other men from a position of mutual respect, and would eliminate the desire to dominate others. *Émile*, therefore, is more than "just" a treatise on education; it is also an essay in social criticism.

These themes come together in Rousseau's most famous work, *On the Social Contract* (1762), in which he describes a just society in which every member has equal political authority, regardless of birth or wealth (though not, probably, of gender), and laws are effected by the general will of the people. Such a society, however, requires a new kind of citizen: a radical reformulation of human nature ... or rather a kind of return to the original, undistorted human nature. Immoral societies create immoral citizens who are acculturated into conniving with and perpetuating their inequalities. The only way to break this vicious cycle, in Rousseau's view, would be to create a new kind of citizen—brought up from an early age in a new way, in relative isolation from the prevailing society. These "new men" would then re-make society.

What Is the Structure of These Readings?

Discourse on the Origin and Foundations of Inequality among Men is preceded by a long and adulatory dedication to the state of Geneva, and then sets out to describe the history of humankind as it develops from the state of nature towards civil society. Part One describes the state of nature; Part Two deals with the establishment of society. As the story progresses, Rousseau seeks to show how moral/political inequality first develops, and then how it intensifies.

On the Social Contract is divided into four books. The first book considers the question of how humankind passes from a state of nature to society, and the conditions of the "social compact" that this transition requires. Book 2 deals with legislation (by the sovereign), while Book 3 addresses government: its proper form, and its scope and limits. The final book goes into more detail about the business of government.

Some Useful Background Information

i) Rousseau saw himself as an inheritor of the ancient tradition of political theory, from Aristotle and Plato, adopting the wide range of its interconnected concerns (including psychology, civic religion, education, the role of art in society, and so on). Ancient social models, such as Sparta, Rome, and Athens, were often his touchstones.

ii) While it is perhaps not quite right to think of Rousseau as a systematizer, nevertheless his various writings are deeply connected with one another and explore a unified set of themes. "I have written on diverse subjects but always on the same principles, always the same morals, the same beliefs, the same maxims, and, if you will, the same opinions," Rousseau wrote in 1763. (This was written in defense of *Émile*.)

iii) A useful starting point for understanding Rousseau's *Social Contract* is this: for Rousseau, a social structure is legitimate only if it exists according to the active will of all the people who make it up. That is, the proper basis of society is not force, or even passive consent, but the ongoing will of the people.

From this, much of what is distinctive about Rousseau's political philosophy tends to follow: for example, that a basic principle of society is the equality of all citizens; that humans in a legitimate society are fully free; that individual wills are complementary and mutually dependent, not competing and separate (otherwise society would not be possible); that good societies are not accidental, distorting artifacts but rather a natural outgrowth of human development; that the sovereign is a corporate entity made up of all the individuals in society (rather than any individual or smaller group); that the powers of the sovereign are unlimited and infallible with respect to, but only to, the general interest; and so on.

iv) Rousseau made two important distinctions which we need to be sensitive to in reading his work. The first is between self-love (*amour de soi*) and self-interest (*amour-propre*); for Rousseau these are quite different. Self-love is a basic, natural feeling of, roughly, well-being, self-sufficiency, and contentment. Self-interest, by contrast, is a feeling that arises only in social settings when we compare ourselves to others; it is this feeling that gives rise to envy and competition.

The second distinction is that between goodness (*bonté*) and virtue (*vertu*). According to Rousseau, human beings are innately good, and if raised properly are all capable of becoming good people. Humans in the state of nature are good, but only unconsciously so; society adds moral awareness, and may tend to produce either good or bad human beings depending on how well it is constituted. Virtue is a social quality, and consists, roughly, in the effort we exert to overcome bad influences, both internal and external.

v) Another helpful distinction for understanding Rousseau is between the state, the sovereign, and the government. His view, roughly, is that the state (*état*) is composed of all the inhabitants of the society; the sovereign (*souverain*) is the common will of all the people acting together, and is the ultimate source of all political authority; the government (*gouvernement*) is the body—the subset of the population—responsible for executing the wishes of the sovereign. Notice that on this view members of the government, even a monarch, are fundamentally equal with all other members of the state, no matter their social status: all citizens participate equally in sovereignty.

Some Common Misconceptions

i) Despite his well-known praise of the "noble savage" (*bon sauvage*), Rousseau was not a primitivist—he did not prefer a pre-social state for humanity over any possible society. He certainly thought that existing societies tended to corrupt and distort human nature, and he argued that humanity was in some sense "naturally good," rather than savage and violent. However, in *The Social Contract* Rousseau envisaged a social condition that he considered vastly preferable to any version of the state of nature.

ii) Rousseau held that government is accountable to the will of the people, but he denied that any government can *represent* that sovereign will. The individual will is, for Rousseau, inalienable, and so cannot be given away to a representative, even willingly.

iii) For Rousseau, law-making is something that can be done only by the sovereign; that is to say, by the general will of the people as a whole. According to Rousseau's way of thinking, therefore, the *government* does not and cannot make laws; it can only issue decrees that *apply* the laws to particular sub-sets of the population. From this it follows that laws proper apply equally to all citizens; they are, in the words of G.D.H. Cole something like "the fundamental declarations of principle on which the entire social order rests." Most of what we would call "laws," however, are what Rousseau would think of as decrees, applications of the law to particular groups and circumstances.

How Important and Influential Are These Works?

Rousseau wrote *The Social Contract* in 1762, criticizing as unjust societies based on inequality and the centralization of political authority. Less that thirty years later, in 1789, the *ancien régime* was overthrown by the French Revolution. Rousseau's name was frequently invoked by the authors of the revolution,[1] but it is unclear to what extent his writings actively influenced those events. What is clear, though, is that Rousseau was one of the key figures crystallizing a set of ideas that swept through Europe and America in the second half of the eighteenth century. Important as his influence may have been on the French Revolutionaries, it also extended into many other areas.

In *The Cambridge Companion to Rousseau,* Rousseau scholar Patrick Riley has called him:

> the greatest of all critics of inequality, the purest social contract theorist of the eighteenth century (and simultaneously the deepest critic of contractarianism after Hume), the greatest writer on civic education after Plato, the most perceptive under-

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[1] The revolutionary slogan, later the motto of the French Republic, "liberté, égalité, fraternité," can be seen as almost a summary of Rousseau's main concerns: liberty and equality arising from, and sustaining, fraternity.

> stander of mastery and slavery after Aristotle and before Hegel, the finest critic of Hobbes, the most important predecessor of Kant, the most accomplished didactic novelist between Richardson and Tolstoy, the greatest confessor since Augustine, the author of paradoxes ("the general will is always right" but "not enlightened") that continue to fascinate and infuriate.

Two of the connections mentioned by Riley are particularly worth emphasizing. Rousseau was perhaps the last great social contract theorist, and his reactions against and reformulation of previous social contract theories, particularly that of Hobbes, changed the nature of subsequent political theory.

Second, Rousseau can be seen as a key influence on Kant's moral and political theory. In particular, Rousseau's notion of the general will and its laws, and his doctrine that true liberty and morality are to be found in acting in accordance with the general will, strongly anticipate Kant.

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Discourse on the Origin and Foundations of Inequality among Men (1755)

We ought to think about what is natural not in things which are corrupt but in things which are well ordered by nature.[1]

To the Republic of Geneva
Magnificent, Most Honored, and Sovereign Lords

Convinced that only the virtuous citizen may give his homeland honors which it can acknowledge, I have been working for thirty years to become worthy of offering you a public homage, and since this happy occasion makes up in part for what my efforts have not been able to accomplish, I believed that I would be permitted here to follow the zeal which inspires me more than the right which ought to act as my authorization. Having had the good fortune to be born among you, how could I reflect on the equality which nature has established among men and on the inequality which they have instituted, without thinking about the profound wisdom with which both of these, happily combined in this state, contribute in a manner most closely approaching natural law and most favorable to society for maintaining public order and the happiness of individuals? As I was investigating the best principles which good sense could set down concerning what should comprise a government, I was so struck by seeing them all at work in yours that, even if I had not been born within your walls, I do not think I would have been able to forego offering this picture of human society to those who, among all peoples, seem to me to possess its greatest advantages and to have best averted its abuses.

If I had had to choose the place where I was born, I would have selected a society whose size was limited by the extent of human faculties, that is to say, by the possibility of being well governed, and where each man was competent in his work, so that no one would be compelled to delegate to others the functions to which he was assigned, a state where, because all the individuals knew each other, neither the obscure maneuvers of vice nor the modesty of virtue would be able to escape the view and judgment of the public, and where this sweet habit of seeing and knowing each other made the love of one's homeland the love of the citizens rather than the love of the land.

I would have wanted to be born in a country where the sovereign and the people could have only one and the same interest, so that all the movements of the machine would tend to nothing but the common happiness. Since that would not be possible unless the people and the sovereign were the same person, it follows that I would have wished to be born under a democratic government, wisely tempered.

I would have wanted to live and die free, that is to say, sufficiently subject to laws so that neither I nor anyone else would be able to shake off their honorable yoke, that salutary and mild yoke which the proudest heads carry all the more obediently because they are created to carry no other.

Thus, I would have wished that no one in the state could assert that he was above the law and that no one outside of it would be able to impose any law that the state was obligated to recognize. For no matter what the constitution of a government may be, if there is a single man who is not subject to the law, all the others are necessarily at his discretion.[1] And if there is a national leader and another foreign leader, no matter how they may divide up authority, it is impossible for both of them to be properly obeyed and for the state to be well governed.

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[1] *We ought ... nature* Aristotle, *Politics*, Book 1, §5, 1254a.

I would not have wanted to live in a newly established republic, however good the laws it might have, for fear that, since the government might perhaps be set up in a way different from what would be necessary at the time and so would not be suitable for the new citizens or the citizens for the new government, the state might be subject to being undermined and destroyed almost from the moment of its birth. For with liberty it is like those solid and delicious foods or those rich wines that are appropriate for nourishing and strengthening robust temperaments accustomed to them but that overwhelm, ruin, and intoxicate the weak and delicate ones not made for them. Once people have grown accustomed to masters, they are no longer capable of doing without them. If they attempt to shake off the yoke, they distance themselves even further from liberty, because they confuse it with an unrestrained license, which is its opposite, and so their revolutions almost always deliver them over to seducers, who merely make their chains worse. Even the Roman people, that model of all free peoples, was in no condition to govern itself when it came out from under the oppression of the Tarquins. Debased by the slavery and the ignominious work the Tarquins had imposed on it, at first it was only a stupid population, which had to be managed and governed with the greatest wisdom, so that, as it gradually grew accustomed to breathe the healthy air of liberty, these souls, enervated or rather stupefied under tyranny, by degrees acquired that strictness of morality and courageous pride that finally made them the most respected of all peoples.[2] Hence, I would have sought out for my homeland a happy and peaceful republic whose antiquity was in a way lost in the night of time, that had gone through only those troubles suitable for demonstrating and reinforcing among its inhabitants a courage and a love of homeland and in which the citizens, long accustomed to a wise independence, were not only free but worthy of being free.

I would have wanted to choose for myself a homeland whose fortunate lack of power made it turn away from a ferocious love of conquests, and which was protected by a location even more fortunate from the fear of itself becoming the conquest of another state; a free city situated among several peoples, none of whom had an interest in invading it and each with an interest in preventing others from doing so themselves, a republic, in short, which did not tempt the ambition of its neighbors and which could reasonably count on their assistance in times of need. In such a happy situation it follows that it would have had nothing to fear except itself and that, if its citizens were trained in using weapons, this would be to maintain among them that warrior spirit and that courageous pride which are so well suited to liberty and which nourish the taste for it, rather than from the need to provide their own defense.

I would have searched for a country where the legislative right was common to all the citizens. For who can understand better than they the conditions under which it is appropriate for them to live together in the same society? But I would not have approved of plebiscites like those among the Romans, where the leaders of the state and those most interested in its preservation were excluded from the deliberations on which its security frequently depended and where, by an absurd inconsistency, the magistrates were deprived of rights that simple citizens enjoyed.

On the contrary, in order to stop self-interested and badly conceived projects and the dangerous innovations that finally ruined the Athenians, I would have desired that no one man had the power to propose new laws according to his fancy; that this right belonged only to the magistrates and that even they used it with such circumspection that the people, for its part, would be reluctant to give its consent to these laws, and that their promulgation could be carried out only with so much solemnity, that before the constitution was undermined the citizens would have had the time to realize that it was above all the great antiquity of the laws which made them sacred and venerable, that the people soon grows contemptuous of laws that it sees changing every day, and that, by growing used to neglecting ancient customs under the pretext of doing better, people often introduce great evils in order to correct lesser ones.

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[1] *For no matter ... at his discretion* [Annotations within Rousseau's notes on the part of the editors are placed within square brackets.]

[Rousseau's note] Herodotus relates that after the murder of the false Smerdis, when the seven liberators of Persia gathered to discuss the form of government they would give the state, Otanes was strongly in favor of a republic. This opinion was all the more extraordinary from the mouth of a satrap, since, in addition to the claim which he could make to the empire, the great fear more than death a form of government which requires them to respect men. Otanes, as we can well imagine, was not listened to and, seeing that they were going to proceed to the election of a monarch, and not wishing to obey or to command, he willingly gave up his right to the crown to the other claimants, requesting as his total compensation that he and his posterity be free and independent. The others granted him this condition. If Herodotus had not told us of the restriction which was set on this privilege, it would be necessary to assume it. Otherwise, Otanes, not recognizing any sort of law and accountable to no one, would have been all-powerful in the state and stronger even than the king. But there was hardly any indication that a man who could remain content with such a privilege in a case like this was capable of abusing it. In fact, it seems that this right never caused the least trouble in the kingdom, either on the part of the wise Otanes or of any of his descendants.

[2] *Debased ... peoples* For Rome's bumpy transition from its period of kings and tyrants to its republican era, see Book 2 of Livy's *History of Rome*.

Above all, on the grounds that it must be badly governed, I would have run away from a republic where the people believed they could dispense with their magistrates or leave them with only a precarious authority and so would have imprudently kept control of the administration of civil matters and the execution of their own laws. Such must have been the rudimentary constitution of the first governments which emerged immediately from the state of nature, and such was also one of the vices that ruined the republic of Athens.

But I would have chosen a country where the individuals were content with giving their sanction to the laws, and, deciding as a collective body and on the basis of a report from their leaders the most important public issues, established respected tribunals, distinguished with care their various departments, and elected year by year the most capable and most honest of their fellow citizens to administer justice and govern the state. The virtue of the magistrates in this way would bear witness to the wisdom of the people, so that they both mutually honored each other. Thus, if ever some fatal misunderstandings happened to trouble public concord, even these times of blindness and errors would be characterized by evidence of moderation, reciprocal esteem, and a common respect for the laws, harbingers and guarantees of a sincere and permanent reconciliation.

Such are, Magnificent, Most Honored, and Sovereign Lords, the advantages I would have looked for in the homeland I would have chosen for myself. And if providence had added to these a charming location, a temperate climate, a fertile countryside, and the most delightful appearance under heaven, then to complete my happiness, I would have desired only to enjoy all these benefits in the bosom of this happy homeland, living peacefully in a sweet society with my fellow citizens, practicing towards them, following their example, humanity, friendship, and all the virtues, and leaving after me the honorable memory of a good man and an honest and virtuous patriot.

If, less happy or wise too late, I had seen myself reduced to ending an unhealthy and languishing career in other climates, vainly regretting the peace and quiet which my imprudent youth had taken away from me, I would at least have nourished in my soul these same feelings which I could not have put to use in my own country, and, filled with a tender and disinterested affection for my distant fellow citizens, I would have delivered to them from the depths of my heart something close to the following address.

My dear fellow citizens, or rather my brothers, since the ties of blood as well as the laws unite almost all of us, it is sweet for me to be unable to think of you without at the same time thinking of all the goods which you enjoy, whose value none of you perhaps feels better than I, who have lost them. The more I reflect on your political and civil situation, the less I can imagine that the nature of human affairs could include a better one. In all other governments, when it is a question of securing the greatest good for the state, everything is always limited to abstract projects, at most to simple possibilities. For you, your happiness is complete. All you have to do is enjoy it. To become perfectly happy, you have no further need other than to know how to content yourselves with being so. Your sovereignty, acquired or recovered by the point of a sword and preserved for two centuries through merit and wisdom, is finally recognized fully and universally. Honorable treaties determine your boundaries, assure your rights, and strengthen your repose. Your constitution is excellent, set down by the most sublime reason and protected by friendly and respected powers. Your state is tranquil: you have neither wars nor conquerors to fear. You have no masters, other than the wise laws you have made, administered by magistrates with integrity, whom you have chosen. You are neither rich enough to become enervated by softness, and with vain delights to lose the taste for genuine happiness and solid virtues—nor so poor that you need more help from foreigners than your industry procures for you. And this precious liberty, which in great nations is maintained only with exorbitant taxation, costs you almost nothing to preserve.

May a republic so wisely and so happily constituted last eternally for the happiness of its citizens and as an example to other peoples! This is the only wish that remains for you to make and the only care left for you to take. From now on it is up to you alone, not to create your happiness, for your ancestors have spared you that trouble, but to make it durable by the wisdom of using it well. Your preservation depends upon your perpetual union, your obedience to the laws, and your respect for their ministers. If there remains among you the least germ of acrimony or mistrust, hurry to destroy it as a deadly leaven that sooner or later would bring you misfortune and the ruin of the state. I entreat you all to go back deep into your hearts and to consult the secret voice of your conscience. Does anyone among you know in the universe a body more honest, more enlightened, and more respectable than your Magistrates? All of its members offer you examples of moderation, simplicity of morals, respect for the laws, and the most sincere reconciliation. So without any reservations, render to such wise leaders that healthy confidence which reason owes to virtue. Consider the fact that they are your choice, that they justify that choice, and that the honors due to those whom you have dignified necessarily reflect back on you yourselves. None of you is so little enlightened that he does not know that where the vigor of the laws and the authority of their defenders cease, there can be neither security nor liberty for anyone. Then what is of concern among you other than to carry out with a good heart and a just confidence what you would always be obliged to do by true interest, by duty, and for the sake of reason? Do not let a culpable and fatal indifference to the maintenance of the constitution ever make you neglect, in time of need, the wise counsels of the most enlightened and the most zealous among you. But may equity, moderation, and the most respectful firmness continue to regulate every step you take and to manifest in you to the entire universe the example of a proud and modest people, as jealous of its glory as of its liberty. Take care above all—and this will be my last piece of advice—never to listen to sinister interpretations and poisonous speeches, whose secret motives are often more dangerous than the actions they are proposing. An entire house wakes up and responds with alarm to the first cries of a good and faithful guardian who never barks except at the approach of thieves, but we hate the importunity of those noisy animals whose barking never ceases to disturb the public peace and whose constant and inappropriate warnings are not listened to, even at a time when they are needed.

And you, Magnificent and Most Honored Lords, you worthy and respectable magistrates of a free people, allow me to offer my homage and my respects to you in particular. If there is in the world a rank suited to conferring renown upon those who hold it, it is undoubtedly the one that talents and virtue confer, the one of which you have made yourselves worthy, and to which your fellow citizens have raised you. Their own merit adds to yours still a new luster, and, selected by men capable of governing others so that they are governed themselves, I find you as superior to other magistrates as a free people, above all the one you have the honor of leading, is superior to the population of other states, thanks to its enlightenment and its reason.

Allow me to cite an example for which better records should remain and which will always be present in my heart. I cannot recall without the sweetest emotion the memory of that virtuous citizen to whom I owe my life and who in my childhood often spoke of the respect that was due to you. I see him still, living from the work of his hands and feeding his soul with the most sublime truths. In front of him I see Tacitus, Plutarch, and Grotius, mixed in with the instruments of his trade. I see at his side a beloved son receiving with too little profit the gentle instruction of the best of fathers. But if the strayings of a foolish youth made me forget for a while such wise lessons, I have the happiness of feeling at last that, no matter what tendency one has towards vice, it is difficult for an education in which the heart is involved to remain lost forever.

Such are, Magnificent and Most Honorable Lords, the citizens and even the ordinary inhabitants born in the state you govern. Such are those educated and sensible men, about whom, under the name of workers and the people, those in other nations have such low and false ideas. My father, I affirm with joy, was not distinguished among his fellow citizens. He was only what they all are, and given the kind of man he was, there is no country where his society would not have been sought out and cultivated, and even to their advantage, among the most respectable people. It is not appropriate for me and, thank heaven, it is not necessary to speak to you about the esteem which can be expected from you for men of that quality, your equals in education as well as by the rights of nature and of birth, your inferiors by their own will, by the preference which they owe and have accorded to your merit, something for which you in turn owe them some sort of acknowledgment. I learn with a lively satisfaction how much your gentleness and condescension temper for them the solemnity which befits ministers of the laws, how much you repay them with your regard and attention for what they owe you in obedience and respect, behavior full of justice and wisdom, appropriate for distancing more and more the memory of the unfortunate events which it is necessary to forget in order that they are never seen again; conduct all the more judicious since this equitable and generous people makes a pleasure of its duty, and naturally loves to honor you, and since those keenest to maintain their rights are the ones most inclined to respect yours.

It should not be surprising that the leaders of a civil society love its glory and its happiness. But it is too surprising for the peace of men's minds to expect that those who think of themselves as magistrates, or rather as masters, of a holier and more sublime homeland, manifest some love for the earthly homeland which nourishes them. How sweet it is for me to be able to make such a rare exception in our favor and to place among the ranks of our best citizens these zealous men, trustees of sacred doctrines authorized by the laws, those venerable ministers of souls, whose lively and sweet eloquence carries the Gospel maxims into the heart all the better because they always begin by practicing them themselves! The whole world knows with what success the great art of the pulpit is cultivated in Geneva. But, too accustomed to perceiving things said one way and done another, few people know how far the spirit of Christianity, the sanctity of morals, the strictness towards themselves, and the gentleness towards others prevail among our ministers. Perhaps it is up to the city of Geneva alone to demonstrate the edifying example of such a perfect union between a society of theologians and men of letters. I base my hope for the permanent tranquility of the state in large part on their wisdom, their acknowledged moderation, and their zeal for its prosperity, and I observe with a pleasure mingled with astonishment and respect how much they are horrified by the dreadful maxims of those holy and barbarous men, of whom history provides more than one example, who, to maintain the so-called rights of God, that is to say, their interests, were all the less averse to shedding human blood because they flattered themselves that theirs would always be respected.

Could I forget that precious half of the republic that creates the happiness of the other half, and whose sweetness and wisdom maintain peace and good morals within it? Amiable and virtuous female citizens, the lot of your sex will always be to govern ours. What happiness when your chaste power, exercised solely within the conjugal union, makes itself felt only for the glory of the state and public well being! That is how women used to command in Sparta, and that is how you deserve to command in Geneva. What barbarous man could resist the voice of honor and of reason in the mouth of a tender wife? Who would not scorn vain luxury at the sight of your simple and modest dress which, through the brilliance it acquires from you, seems to be most favorable to beauty? It is up to you always to maintain by your amiable and innocent sway and your captivating spirit the love of the laws in the state and harmony among the citizens, to reunite divided families with happy marriages, and, above all, to correct by the persuasive sweetness of your lessons and by the modest graces of your conversation the errant ways that our young people happen to pick up in other countries; from where, instead of so many useful things from which they could profit, they bring back, with a puerile tone and ridiculous airs acquired among lost women, nothing but an admiration for who knows what kind of would-be grandeur, frivolous compensations for their servitude, which will never be worth august liberty. So always be what you are, the chaste guardians of morals and the mild restraints of peace, and continue to put to good use on every occasion the rights of the heart and of nature for the benefit of duty and virtue.

I flatter myself that, in basing my hope for the general happiness of the citizens and for the glory of the republic on such guarantees, I will not be proved wrong by events. I confess that with all these advantages it will not shine with that brilliance which dazzles most eyes and for which the childish and fatal taste is the most deadly enemy of happiness and liberty. Let the dissolute young go elsewhere to seek easy pleasures and long repentance. Let the so-called people of taste admire in other places the grandeur of palaces, the beauty of carriages, the superb furnishings, the pomp of spectacles, and all the refinements of soft living and luxury. In Geneva, one will find only men, but a sight of this kind nevertheless has a real value of its own, and those who seek it out are well worth the admirers of the rest.

Magnificent, Most Honored, and Sovereign Lords, may you all deign to receive with the same kindness the respectful testimonies of the interest that I take in your communal prosperity. If in this lively outpouring of my heart I have been so unfortunate as to be guilty of some indiscreet transport, I beg you to pardon that as the tender affection of a true patriot and the ardent and legitimate zeal of a man who considers that there is no greater happiness for him than that of seeing you all happy.

I am, with the most profound respect,
Magnificent, Most Honored and Sovereign Lords,
Your very humble and very obedient servant and fellow citizen

Jean-Jacques Rousseau.
Chambery, 12 June 1754.

Preface

The most useful and the least advanced of all areas of human knowledge seems to me to be that of man,[1] and I venture to say that the inscription on the temple at Delphi[2] by itself contained a precept more important and more difficult than all the bulky volumes of the moralists. Thus, I consider the subject of this Discourse one of the most interesting questions philosophy could propose, and, unfortunately for us, one of the thorniest that philosophers could resolve. For how are we to know the source of inequality among men, if we do not begin by understanding men themselves? And how will man succeed in seeing himself the way nature made him, through all the changes which the succession of time and things must have produced in his original constitution, and in disentangling what he retains of his own fundamental core from the things that circumstances and his progress have added to or changed in his primitive state? Like the statue of Glaucus,[3] which time, the sea, and storms have so disfigured that it looks less like a god than a ferocious beast, so the human soul, altered in the bosom of society by a thousand causes constantly renewed, by the acquisition of huge amounts of knowledge and errors, by the changes which have taken place in the constitution of the body, and by the constant shock of the passions, has, so to speak, changed its appearance to the point where it is almost impossible to recognize. And in the place of a being always acting according to certain and invariable principles, in the place of that divine and majestic simplicity which its Author impressed upon it, we no longer discover anything there but the warped contrast between passion that believes it is reasoning and a delirious understanding.

What is even crueler is that all the progress in the human species constantly takes it further away from its primitive state. The more we accumulate new kinds of knowledge, the more we deprive ourselves of the means of acquiring the most important knowledge of all, and, in a sense, it is thanks to the study of man that we are now beyond the condition where we can know him.

It is easy to see that it is in these successive changes in the human constitution that we must look for the first origin of the differences which separate men, who, by general opinion, are naturally as equal among themselves as were the animals of each species before various physical causes introduced into some of them the varieties we notice there. In fact, it is inconceivable that these first changes, however they came about, altered all at once and in the same way all the individuals of the species. But while some were improved or weakened and acquired various good or bad qualities not inherent in their nature, others remained for a longer period in their original state; such was the first source of inequality among men, a fact which it is thus easier to demonstrate in general than to precisely assign its real causes.

Let my readers not imagine, therefore, that I dare flatter myself for having seen something that appears to me so difficult to see. I have begun some rational lines of enquiry and hazarded some assumptions, less in the hope of resolving the question than with the intention of illuminating it and reducing it to its true state. Other people will readily be able to go further along the same route, although it will not be easy for anyone to reach the end. For it is no slight undertaking to disentangle what is original from what is artificial in the present nature of man and to understand well a state which no longer exists, which perhaps never existed, which probably never will exist, and concerning which it is nevertheless necessary to have some accurate notions in order to judge properly our present state. Someone who would endeavor to determine exactly what precautions he should take in order to make some reliable observations on this subject would require even more philosophy than one might think, and a good solution to the following problem would seem to me not unworthy of the Aristotles and Plinys[1] of our age: *What experiments would be necessary to reach an understanding of natural man, and what are the ways of making these experiments in the bosom of society?* Far from attempting to resolve this problem, I believe I have meditated sufficiently on the subject to venture to respond in advance that the greatest philosophers will not be too good to direct these experiments, nor the most powerful sovereigns to undertake them. It is hardly reasonable to expect such cooperation, above all with the perseverance or rather the continuing enlightenment and goodwill necessary on both sides to attain success.

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[1] *The most useful ... that of man* [Rousseau's note] From the very beginning I have been relying with confidence on one of those authorities respected by philosophers because they are the product of firm and sublime reasoning, which only philosophers understand how to find and appreciate: "Whatever interest we have in knowing ourselves, I do not know whether we do not have a better understanding of everything that is not us. Provided by nature with organs uniquely intended for our preservation, we use them only to take in exterior impressions; we seek only to spread ourselves without, and to exist outside ourselves. Too busy multiplying the functions of our senses and increasing the exterior range of our being, we rarely make use of that interior sense that reduces us to our true dimensions and separates us from everything that is not in us. However, if we wish to know ourselves, this is the sense we need to employ, the only one with which we are able to judge ourselves. But how do we activate this sense to its full extent? How do we free our soul, in which it resides, of all the illusions of our mind? We have lost the habit of using it. It has lived without exercise in the middle of the tumult of our corporeal sensations; it has been desiccated by the fire of our passions. The heart, the mind, the senses—they have all worked against it." Buffon, *Histoire Naturelle.* Vol. 4, p. 151, *De la Nature de l'homme.* [Georges Buffon (1707–88), "The Natural History of Man" in *Natural History.*]

[2] *the temple at Delphi* The ancient Greeks traveled to the Temple at Delphi in order to consult the oracle on important matters of the day. Its inscription advised that one should "know thyself."

[3] *statue of Glaucus* The statue of Glaucus, described similarly in Plato's *Republic* (Book 10, 611d), depicts a fisherman turned sea god but is so worn as to be unrecognizable.

This research, so difficult to carry out, and we have thought about it so little up to this point, is nonetheless the only means left to us of removing a multitude of difficulties which hide from us the knowledge of the real foundations of human society. It is this ignorance of the nature of man that throws so much uncertainty and obscurity onto the true definition of natural right. For the idea of right, says Mr. Burlamaqui,[2] and even more the idea of natural right, are manifestly ideas relative to the nature of man. Hence, it is from this very nature of man, he continues, his constitution and his condition, from which we must deduce the principles of this science.

It is not without surprise and scandal that one observes how little agreement prevails on this important matter among the various authors who have dealt with it. Among the most serious writers there are hardly two who agree about it. Without mentioning the ancient philosophers, who seem to have gone to great trouble to contradict each other on the most basic principles, the Roman jurists subject man and all the other animals indiscriminately to the same natural law, because under this name they considered the law nature imposes on herself rather than the one she prescribes; or rather, because these jurists understood the word *law* in a particular sense, on this occasion they seem to have accepted it only as the expression of general relationships established by nature among all animated beings for their common preservation. The moderns, understanding under the term law only a rule prescribed to a moral being, that is to say, to one that is intelligent, free, and deliberate in its relationships with other beings, consequently limit the jurisdiction of natural law to the single animal endowed with reason, that is, to man. However, each of them defines this law in his own way; they all establish it on such metaphysical principles that there are, even among us, very few people in a position to understand these principles, let alone capable of finding them by themselves. As a result, all the definitions of these scholarly men, in other respects constantly contradicting each other, agree only on one point: that it is impossible to understand the law of nature, and hence to obey it, without being a very great reasoner and a profound metaphysician. And that indicates precisely that, for the establishment of society, men must have employed an enlightenment that develops only with a great deal of effort and in very few people, even within the bosom of society itself.

Since we have such a meager understanding of nature and there is such poor agreement about the meaning of the word *law*, it would be very difficult to agree on a good definition of natural law. All those we find in books, aside from the problem that they are not the same, have the additional fault of being derived from several kinds of knowledge which men do not possess naturally and from advantages of which they can have no idea until after they have left the state of nature. These writers begin by investigating the rules about which, for the sake of common utility, it would be appropriate for men to agree on among themselves, and then they assign the name natural law to the collection of these rules, without any other proof aside from the benefit which they find would result from their universal practice. That is surely a very convenient way to come up with definitions and to explain the nature of things with almost arbitrary reasons.

But so long as we do not know natural man, it is useless for us to want to determine the law he has received or the one which best fits his constitution. All we can see very clearly on the subject of this law is that, in order for it to be a law, it is necessary not only that the will of the man with an obligation to it is capable of submitting to it knowingly, but also that, for the law to be natural, it must speak immediately with nature's voice.

Thus setting aside all those scientific books, which teach us only to see men the way they have made themselves, and meditating upon the first and simplest operations of the human soul, I believe I discern there two principles prior to reason: one makes us passionately interested in our well-being and in our own preservation, and the other inspires in us a natural repugnance at seeing any sensitive being perish or suffer, in particular, beings like ourselves. From the cooperation and combination our mind is able to create of these two principles—without it being necessary to bring in the principle of sociability—it seems to me, all the rules of natural right follow, rules which reason is later forced to re-establish on other foundations, when, through its successive developments, it has ended up effectively suffocating nature.

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[1] *Aristotles and Plinys* Aristotle (384–322 BCE) and Pliny the Elder (23–79 CE) were among the most esteemed natural philosophers in ancient Greece and ancient Rome, respectively.

[2] *Mr. Burlamaqui* Jean-Jacques Burlamaqui (1694–1748) of Geneva was among the most prominent natural law theorists in the generation immediately preceding Rousseau.

In this way, we are not obliged to make man a philosopher before we make him a man. His obligations towards others are not dictated to him exclusively by later lessons in wisdom, and so long as he does not resist the internal impulse of compassion, he will never do harm to another man, or even to any other sentient being, except in the legitimate case where, since his preservation is at stake, he is obliged to give preference to himself. In this way we also end the ancient disputes concerning the participation of animals in natural law. For it is clear that, lacking enlightenment and liberty, they cannot recognize this law. But because in some things they share our nature through the sensibility with which they are endowed, we judge that they should also share in natural right and that man is subject to some kind of duties towards them. It seems, in fact, that if I am obliged not to do any harm to my fellow man, that is not so much because he is a reasonable being as because he is a sentient being, a quality which, being common to animals and man, should at least confer on the former the right not to be mistreated for no purpose by the latter.

This same study of original man, of his true needs, and of the fundamental principles of his duties, is also the only good method we can use to remove the great many difficulties which present themselves concerning the origin of moral inequality, the true foundation of the body politic, the reciprocal rights of its members, and a thousand other similar questions, as important as the explanations for them are inadequate.

When we consider human society with a calm and disinterested gaze, at first it seems to reveal nothing but the violence of powerful men and the oppression of the weak. The mind is revolted by the harshness of the former, and we tend to deplore the blindness of the latter. And since nothing is less stable among men than these external relationships, which chance produces more often than wisdom and which we call power or weakness, wealth or poverty, human institutions appear at first glance to be founded on mounds of quicksand. It is not until we look at them closely, only after we have removed the dust and sand which surround the structure, that we perceive the unshakeable base on which it has been raised and learn to respect its foundations. Now, without the serious study of man, of his natural faculties, and of their successive developments, we will never succeed in making these distinctions, and in separating in the present constitution of things what divine will has created from what human art has claimed to do. Political and moral enquiries which have arisen from the important question I am examining are thus useful in all sorts of ways, and the hypothetical history of governments is for man an instructive lesson in every respect. By considering what we might have become, if we had been left to ourselves, we should learn to bless Him whose beneficent hand, correcting our institutions and giving them an unshakeable foundation, prevented the disorders they would have otherwise produced, and made our happiness emerge from means which seemed as if they ought to make us completely miserable.

Learn the person God has commanded you to be,

And in which part of human affairs you have been placed.[1]

Notice on the Notes

I have added some notes to this work in accordance with my lazy habit of working on this and that. These notes wander sometimes so far from the subject that it is not good to read them with the text. So I have shifted them to the end of the Discourse, in which I have tried to follow as best I can the most direct route. Those who have the courage to start again will be able to entertain themselves a second time by beating the bushes and striving to move through the notes. If other people do not read them at all, there will be little harm done.

Question

Proposed by the Academy of Dijon

What is the origin of inequality among men, and is it authorized by natural law?

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[1] *Learn … placed* From the Latin of Persius, *Satire* 3.

Discourse on the Origin and the Foundations of Inequality among Men

I am to speak about man, and the question I am examining informs me that I am going to be speaking to men, for one does not propose questions like these when one is afraid of honoring the truth. Therefore, I will defend with confidence the cause of humanity in front of the wise men who invite me to do that, and I will not be unhappy with myself if I prove worthy of my subject and my judges.

In the human species I conceive two forms of inequality: one I call natural or physical, because it is established by nature and consists of the differences in age, health, bodily strength, and qualities of the mind or soul; the other we can call moral or political inequality, because it depends on some kind of convention and because it is established or at least authorized by the consent of men. This latter form consists of the different privileges that some men enjoy to the detriment of others, such as being wealthier, more honored, or more powerful than they are, or even making other men obey them.

We cannot ask what the source of natural inequality is, because the answer is expressed in the simple definition of the word. Even less can we seek whether there might be some essential link between the two inequalities, for that would be asking, in other terms, if those who command are necessarily worth more than those who obey, and if the powers of the body or the mind, wisdom, or virtue are always found in the same individuals in proportion to power or wealth: it may be a good question to discuss among slaves while their masters are listening, but one not suitable for reasonable and free men seeking the truth.

So what precisely is the issue here in this Discourse? It is to mark in the progress of things the moment where, once right had taken over from violence, nature was subjected to law, and to explain by what sequence of astonishing events the strong could resolve to serve the weak and the people to purchase a notional repose at the expense of genuine happiness.

Philosophers who have examined the foundations of society have all sensed the need to go back to the state of nature, but none of them has arrived there. Some have not hesitated to attribute to man in this state the idea of the *just* and *unjust*, without taking the trouble to demonstrate that he had to have this idea or even that it was useful to him. Others have talked about the natural right which each man has to keep what belongs to him, without explaining what they mean by *to belong*. Others have begun by assigning to the strongest the authority over the weakest and have immediately created governments, without thinking of the time that must have elapsed before the meaning of the words *authority* and *government* could have existed among men. Finally, all of them, talking endlessly about need, greed, oppression, desires, and pride, have brought into the state of nature ideas they had derived from society. They have spoken about savage man and given a portrait of civil man. It has not even entered the mind of most of our writers to doubt whether the state of nature existed, although it is evident from a reading of the Sacred Books that the first man, once he had received his understanding and precepts directly from God, was not himself in this state and that, when we accord to the writings of Moses the faith which every Christian philosopher owes them, we must deny that, even before the Flood, men ever found themselves in the pure state of nature, unless they fell back into it by some extraordinary event. This paradox is very difficult to defend and completely impossible to prove.

So let us begin by dispensing with all the facts, for they are not relevant to the question. We must not take the investigations that one could enter into concerning this subject for historical truths, but only for hypothetical and conditional arguments, more suitable for illuminating the nature of things than for showing the true origin, similar to those our physicists make every day concerning the formation of the earth. Religion orders us to believe that God Himself took men out of the state of nature and that they are unequal because He wanted them to be. But it does not prohibit us from forming conjectures drawn only from the nature of man and of the beings surrounding him concerning what the human race could have become had it been left abandoned to itself. That is what I am being asked and what I propose to examine in this Discourse. Since my subject deals with man in general, I will try to use a language suitable to all nations; or rather, forgetting times and places, so that I think only about the men to whom I am speaking, I will assume that I am in the school of Athens, repeating the lessons of my masters, with Platos and Xenocrateses[1] for judges, and the human race as my audience.

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[1] *Platos and Xenocrateses* Plato (c. 428/427–c. 348/347 BCE) founded the Athenian university simply known as "The Academy," and his student Xenocrates (396–314 BCE) was his successor. Potentially of significant interest to Rousseau, Xenocrates was "singularly free from pride," according to Diogenes Laertius, *The Lives of the Eminent Philosophers*, 4.2.11.

O man, no matter what country you are from, no matter what your opinions may be, listen. Here is your history the way I believed I read it, not in the books by your fellow men, who are liars, but in nature, which never lies. Everything that will be from her will be true. There will be nothing false except what I have mixed in of my own without wishing to do so. The times of which I am going to speak are far distant. How much have you changed from what you were! It is, so to speak, the life of your species that I am going to describe with reference to the qualities you have received, which your education and your habits may have corrupted, but which they have not been able to destroy. There is, I sense, an age at which the individual man would like to stop; you will be seeking the age at which you would wish your species had stopped. Unhappy with your present condition, for reasons which announce to your unfortunate descendants even greater discontent, perhaps you might wish you could go back, and this feeling should be the eulogy of your first ancestors, the critique of your contemporaries, and the dread of those who will have the misfortune to live after you.

First Part

However important it may be in order to form a proper judgment of the natural state of man to consider him from his very origin and to examine him, so to speak, in the first embryo of the species, I will not follow his organic structure through its successive developments. I will not stop to investigate what he could have been at the start within the animal system in order to become what he finally is. I will not examine whether, as Aristotle thinks, his long nails were at first hooked claws, whether he was as hairy as a bear, and whether, moving on four feet[1] with his gaze directed at the earth and limited to a horizon of a few paces, he did not at once demonstrate the nature and extent of his ideas. On this subject I would be able to form nothing but vague and almost imaginary conjectures. Comparative anatomy has thus far made too little progress, and the observations of naturalists are still too uncertain for us to be able to establish on such foundations the grounds for a solid argument. Thus, without having recourse to the supernatural knowledge we have in this matter, or taking into account the changes which must have occurred in the human structure, both internally and externally, as man applied his limbs to new uses and nourished himself on new foods, I will assume that he was formed at all times as I see him today, walking on two feet, using his hands as we use ours, looking around at all of nature, and measuring with his eyes the vast expanse of the heavens.

By stripping the being formed in this way of all supernatural gifts he could have received and all the artificial faculties he could have acquired only by long progress, by considering him, in a word, as he must have come from the hands of nature, I see an animal less strong than some, less agile than others, but, taking everything into account, with the most advantageous structure of all. I see him eating his fill under an oak tree, quenching his thirst at the first stream, finding his bed at the foot of the same tree which provided his meal, and with that his needs are satisfied.

The earth, left to its natural fertility[2] and covered with immense forests never mutilated by an axe, offers at every step storehouses and shelters for animals of every species. The men scattered among these species observe them, imitate their industry, and thus raise themselves to the level of animal instinct, with this advantage: each species has only its own appropriate instinct, while man perhaps has no instinct that belongs to him and so appropriates them all, feeds himself just as well with most of the various foods[3] the other animals share among themselves, and as a result finds his subsistence more easily than any of them can.

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[1] *moving on four feet* [Rousseau's note] The changes which a long practice of moving on two feet could have produced in the structure of man, the relationships we still observe between his arms and the anterior limbs of quadrupeds, and the conclusion derived from their way of moving could have given rise to doubts about the way of walking that must have been most natural for us. All children begin by moving on four limbs and require our example and lessons from us to learn to stand upright.... [A long note on bipeds and quadrupeds, which is omitted here, follows.]

[2] *natural fertility* Rousseau here appends a long note on the natural fertility of the earth.

[3] *feeds himself ... various foods* [Rousseau's note] Among quadrupeds, the two most universal distinguishing features of the carnivorous species are derived first, from the shape of the teeth, and second, from the structure of the intestines. The animals that live only on plants all have flat teeth, like the horse, the ox, the sheep, and the hare, but carnivorous animals have pointed teeth, like the cat, the dog, the wolf, and the fox. As for the intestines, the frugivorous animals have some, like the colon, not found in carnivorous animals. It seems, therefore, that man, who has teeth and intestines like those in frugivorous animals, should naturally have been placed in this class. Not only do anatomical observations confirm this opinion, but the records of antiquity also strongly favor it. "Dicaearchus," [(c. 350–c. 285 BCE) Greek philosopher and scholar] states St. Jerome, "reports in his books of Greek antiquities that under the reign of Saturn, when the earth was still fertile on its own, no man ate meat; instead they all lived

Accustomed from infancy to intemperate weather and the rigor of the seasons, inured to fatigue, and forced, naked and without weapons, to defend their lives and their prey against other ferocious beasts or to escape them by running off, men develop in themselves a robust and almost unchangeable temperament. The children bring into the world the excellent constitution of their fathers, strengthen it through the same exercises which created it, and in this manner acquire all the vigor of which the human species is capable. Nature deals with them exactly as the law of Sparta did with the citizens' children: it makes those who are well-formed strong and robust and kills off all the others, differing in this respect from our societies, where the state, by making children burdensome to their fathers, kills them indiscriminately before they are born.

Since the savage man's body is the only instrument he knows, he employs it for various uses of which, through lack of practice, our bodies are incapable. Our industry has taken away from us the strength and agility which necessity obliges him to acquire. If he had had an axe, would his wrist have broken off such strong branches? Had he had a sling, would his hand have thrown a stone so hard? Had he had a ladder, would he have climbed so nimbly up a tree? Had he had a horse, would he have run so quickly? Leave civilized man the time to collect all his machines around him, and there is no doubt he would easily overcome savage man. But if you want to see an even more unequal combat, set them naked and unarmed one against the other. You will soon recognize the advantage of constantly having all one's strength at one's disposal, of always being ready for any event, and of always carrying with oneself, so to speak, a completely integrated totality.[1]

Hobbes claims that man is naturally bold and seeks only to attack and fight. An illustrious philosopher thinks the opposite, and Cumberland and Pufendorf also affirm that nothing is as timid as man in a state of nature; he is always trembling, ready to run off at the slightest noise that strikes him, at the least movement he perceives.[2] That may be the case for objects he does not recognize, and I have no doubt that he is frightened by all new sights that present themselves to him every time he cannot discern the physical good and bad he should expect from them, or compare his strength with the dangers he must encounter—rare circumstances in the state of nature, where everything proceeds in such a uniform manner and where the face of the earth is not subject to sudden and constant changes caused by the passions and by the fickleness of people in groups. But savage man, living dispersed among the animals and finding himself early on in a position to measure himself against them, soon makes a comparison, and, sensing that he surpasses them in skill more than they surpass him in strength, he learns not to fear them anymore. Set a bear or a wolf to go against a robust savage, skillful and courageous, as they all are, armed with stones and a good stick, and you will observe that the danger will at least be reciprocal, and that after several such experiences, the wild beasts, which do not like to attack each other, will have little desire to attack man, whom they have discovered is just as ferocious as they are. As for animals which really do have more strength than he has skill, he is in their eyes in the position of other weaker species, which nonetheless continue to survive. But man does have an advantage: being no less able than they are to

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on fruits and vegetables which grew naturally" (Book 2, *Adversus Jovinianum*). This view can also be supported by what several modern travelers have reported. François Coreal, among others, states that most of the inhabitants of the Lucayes taken by the Spaniards to the islands of Cuba, Santo Domingo, and elsewhere, died from eating flesh. One can see from this that I am overlooking a number of helpful points that I could put to good use. For since prey is almost the only thing carnivorous animals fight about and since the frugivores live with each other in continual peace, if the human species was in the latter category, it clearly would have found it a great deal easier to survive in the state of nature and have had much less need and far fewer occasions to leave it.

[1] *You will soon recognize … integrated totality* [Rousseau's note] All knowledge that requires reflection, all knowledge acquired only by linking ideas and perfected only in stages, seems to be completely beyond the grasp of savage man, for lack of communication with his fellows, that is to say, for lack of the tool used for this communication and of the needs that make it necessary. His knowledge and industry are limited to jumping, running, fighting, throwing stones, and climbing trees. But if these are the only things he knows, he makes up for it by knowing them much better than we do, who do not have the same need for them as he does. And since these activities depend entirely on physical exercise and cannot be communicated or improved from one individual to another, the first man could have been just as skilled at them as his last descendants. [Rousseau continues his note with several paragraphs of examples.]

[2] *Hobbes claims … perceives* See Hobbes, *Leviathan*, chapter 13; Pufendorf, *Law of Nature and Nations*, 2.2.2; and Cumberland, *Laws of Nature*, 1.32–33. The "illustrious philosopher" cited is Montesquieu (1689–1755), who inclines to the view of Pufendorf and Cumberland that humanity is naturally timid rather than aggressive (*Spirit of the Laws*, 1.2).

run off and finding an almost guaranteed refuge up in the trees, it is in every case up to him whether to accept or leave the encounter: he must choose between flight or combat. Let us add that it does not seem that any animal naturally wars against man, except in cases of its own defense or extreme hunger, nor does it manifest against him those violent antipathies which appear to announce that one species is destined by nature to serve as food for another.

<These are undoubtedly the reasons why Negroes and savages are so little concerned about the fierce beasts they may come across in the forest. In this respect the Caribbean <savages> of Venezuela, among others, live in the most absolute security and without the slightest inconvenience. Although they are almost naked, says Francisco Coreal, they are not afraid of exposing themselves in the forest armed only with bows and arrows, but nobody has ever heard of any of them being eaten by animals.>[1]

Other more formidable enemies against which man does not have the same means of defending himself are the natural infirmities—infancy, old age, and all kinds of illnesses—sad indications of our frailty, of which the first two are common to all the animals and the last belongs principally to man living in society. On the subject of infancy, I even notice that the mother carries her child everywhere with her and so finds feeding him a great deal easier than do the females of several animals who are forced to come and go continuously and grow very weary, moving in one direction to seek out their food and in another to suckle or feed their young. It is true that if the female happens to die, the child runs a great risk of perishing with her. But this danger is common to a hundred other species whose young are for a long time in no condition to go and look for their food themselves. And if infancy is longer among us, life is so as well. Everything is still roughly equal in this matter,[2] although there are other rules concerning the duration of the early years and the number of the young[3] which are not part of my subject.

With the old, who do not move around much and perspire little, the need for food diminishes with the ability to provide it, and since the life of savages spares them gout and rheumatism, and since old age is of all the evils the one which human help can least relieve, they eventually die without anyone noticing that they no longer exist, and almost without noticing it themselves.

As far as sicknesses are concerned, I will not repeat the empty and false rants that the majority of people in good health deliver against medicine. But I will ask if there is some reliable observation on the basis of which one could conclude that in the countries where this art is most neglected, the average life of man is shorter than in those where it is cultivated with the greatest care. How could that be the case if we give ourselves more illnesses than medicine can provide us remedies? The extreme inequality in lifestyle, the excessive idleness of some people, the excessive labor of others, the ease with which we stimulate and satisfy our appetites and our sensuality, rich people's overly sophisticated food, which feeds them with hot reductions and oppresses them with indigestion, poor people's bad food, which most of the time they even go without, a lack that leads them to overstuff their stomachs greedily when they have an opportunity, staying up late, every sort of excess, immoderate transports of all the passions, fatigue, mental exhaustion, distress, and the numberless sorrows which people undergo in all circumstances and which constantly wear down the soul—there you have the fatal proofs that most of our troubles are our own work and that we might have avoided almost all of them had we kept to the simple, uniform, and solitary way of life nature had prescribed for us.

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[1] <These are undoubtedly ... animals> This passage and others in the text enclosed within < > were added by Rousseau to the 1782 edition.

[2] *equal in this matter* [Rousseau's note] "The length of life of horses," says M. de Buffon, "is, as in every other species of animals, proportional to the length of time they spend growing. Man takes fourteen years to grow and can live six or seven times as long, that is, ninety or one hundred years; the horse completes its growth in four years and can live six or seven times as long, that is, twenty-five or thirty years. The examples that could go against this rule are so rare that we should not even look upon them as exceptions from which we can draw conclusions. And just as big horses finish growing in less time than delicate ones, so they do not live as long and are old at the age of fifteen years." ["Natural History of the Horse," *Natural History.*]

[3] *number of the young* [Rousseau's note] I believe I see another difference between carnivorous and frugivorous animals, something even more general than the one I mentioned in Note [3, page 288], since this one includes birds. This difference consists in the number of the young, which never exceeds two in each litter for the species which live only on plants and which is usually greater than this number for carnivorous animals. It is easy to recognize nature's purpose in this matter by the number of teats, which is only two in each female of the first group, like the mare, cow, goat, doe, ewe, and so on, and is always six or eight in the other females, like the bitch, cat, wolf, tigress, and so on. The hen, goose, and duck, which are all carnivorous birds, as well as the eagle, sparrow-hawk, and owl, also lay and hatch a large number of eggs, something which never happens with the pigeon, turtle dove, or birds, which eat absolutely nothing but grain. These rarely lay and hatch more than two eggs at a time. The reason we can give for this difference is that the animals which live only on grasses and plants spend almost the entire day feeding and are forced to spend a long time nourishing themselves; thus, they would not be capable of suckling several young. By contrast, the carnivorous animals eat their meals almost instantaneously and so can more easily and more frequently return to their young and to the hunt and make up for the loss of such a large quantity of milk. There would be many particular observations and reflections to make about all these matters, but this is not the place for them, and it is sufficient for me to have shown in this section the most general system of nature, a system that provides a new reason for taking man out of the class of carnivorous animals and setting him among the frugivorous species.

If she intended for us to be healthy, I almost venture to affirm that the state of reflection is a condition contrary to nature, and that the man who meditates is a depraved animal. When we think about the good constitution of savages, at least of those whom we have not ruined with our strong liquors, when we realize that they are familiar with hardly any sicknesses other than wounds and old age, we are very much led to believe that we could easily produce the history of human illnesses by following the history of civil societies. That, at least, is the opinion of Plato, who concludes, on the basis of certain remedies used or approved by Podalirius and Machaon at the siege of Troy,[1] that various illnesses, which these remedies should have made flare up, were not at that time known among men. <And Celsus states that diet, something essential nowadays, was first invented by Hippocrates.[2]>

With so few sources of illness, man in a state of nature thus has hardly any need for remedies, even less for doctors. In this respect, the human species is in a condition no worse than all the others. It is easy to find out from hunters whether, during their hunting, they find many sick animals. They do come across several that have received major wounds which have healed very well, or that have had bones, even limbs, broken and reset without any surgeon other than time or any treatment except their ordinary life, and that are no less perfectly cured for not having been tormented with incisions, poisoned by drugs, or worn out with fasting. Finally, however useful well-administered medicine may be among us, it is still true that if the sick savage left on his own has nothing to hope for except from nature, he has, on the other hand, nothing to fear except his illness, a fact which often renders his situation preferable to ours.

So let us be careful not to confuse savage man with the men we have before our eyes. Nature treats all the animals left in her care with a partiality that appears to demonstrate how jealous she is of this right. In the forests the horse, cat, bull, and even the donkey for the most part have a greater height; all have a more robust constitution, more energy, strength, and courage in the forests than in our homes. They lose half of these advantages by becoming domesticated, and we could say that all our care in treating these animals well and feeding them ends up merely degrading them. The same is true of man himself. By becoming sociable and enslaved, he becomes weak, fearful, and groveling, and his soft and effeminate way of life ends by enervating both his strength and his courage. Let us add that between the savage and domesticated conditions, the difference between man and man must be even greater than the one between beast and beast, for if animal and man have been treated equally by nature, all the things man gives himself for his own convenience—more than he does to the animals he tames—are so many particular causes which make him degenerate more appreciably.

Thus, nudity, lack of habitation, and going without all of those useless things we believe are so necessary are not such a great misfortune for these first men or, above all, such a great obstacle to their preservation. If they do not have hairy skin, they do not need it in hot countries, and in cold countries they soon learn to appropriate for their own use the skins of beasts they have overcome. If they have only two feet for running, they have two arms to provide for their defense and their needs. Their children perhaps begin to walk late and with difficulty, but their mothers carry them easily, an advantage missing in other species, where the mother, if she is chased, finds herself forced to abandon her young or to regulate her pace to theirs.[3] Finally, unless we assume those unusual and fortuitous combinations of circumstances which I will mention in what follows and which could very well never have happened, it is in any event clear that the first who made clothing or a lodging for himself, was, in doing so, providing himself with some things for which he had little need, because he had gone without them up to that point, and because one does not see why, as a grown man, he could not have put up with a way of life he had endured since he was an infant.

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[1] *Podalirius and Machaon … Troy* Sons of Asclepius, depicted in Homer, *Iliad*, 2.731.

[2] *And Celsus … Hippocrates* As recorded in *De medicina*, Preface, 3–5.

[3] *Their children … to theirs* [Rousseau's note, 1782 edition:] There could be a few exceptions to this, for instance, the animal from the province of Nicaragua which looks like a fox and has feet like a man's hand, and which, according to Coreal, has a pouch under its belly, in which the mother puts her young when she is forced to flee. This is undoubtedly the same animal as the one called *tlaquatzin* in Mexico. Laet says the female of this species has a similar pouch for the same purpose.

Solitary, idle, and always close to danger, savage man must like to sleep and have a light sleep, like the animals, which do not think very much and sleep, so to speak, all the time they are not thinking. Since his own preservation is almost his only concern, the faculties he exercises most must be those whose main purpose is attack and defense, whether to overcome his prey or to protect himself from being the prey of another animal. By contrast, the organs which do not improve except by softness and sensuality must remain in a coarse state, which prevents any kind of refined sensitivity in him. In this respect his senses will be divided: he will have an extremely rudimentary sense of touch and taste, but the greatest subtlety of sight, hearing, and smell. Such is the condition of animals generally, and, according to what travellers report, it is the same with the majority of savage people. So we should not be astonished that the Hottentots of the Cape of Good Hope discern with their naked eyes ships on the high seas at the same distance the Dutch see them with telescopes, or that the savages of America smell the Spaniards on the trail, just as the best dogs would have been able to do, or that all these barbaric nations tolerate their nakedness without difficulty, spice up their taste with peppers, and drink European liquor like water.

Thus far I have considered only physical man. Let us now attempt to see him from the metaphysical and moral side.

In every animal I see only an ingenious machine to which nature has given senses so that it can re-energize and protect itself, up to a certain point, from everything that tends to destroy or to disturb it. I see precisely the same things in the human machine, with this difference: nature alone causes all the operations in the beast; whereas man contributes to his own operation in his capacity as a free agent. One chooses or refuses by instinct, and the other by an act of freedom. This means that the beast cannot deviate from the rule prescribed for it, even when it would be advantageous to do so, and that man does deviate from the rule, often to his disadvantage. That is why a pigeon would die of hunger next to a bowl filled with the finest meats, as would a cat sitting on piles of fruit or grain, although both of them could feed themselves very well on the food they reject, if they were of a mind to try it. For this reason, dissolute men abandon themselves to excesses which bring them fever and death, because the mind corrupts the sense and because the will still speaks when nature is silent.

Every animal has ideas, because it has senses. It even combines its ideas up to a certain point, and man is no different from a beast in this respect, except in degree. Some philosophers have even proposed that there is a greater difference between one man and another than there is between some men and certain animals. Hence, it is not so much the understanding that creates the specific distinction between animals and man, as it is man's quality of being a free agent. Nature commands every animal, and the beast obeys. Man experiences the same sensation, but he recognizes that he is free to agree or to resist, and it is above all in the consciousness of this freedom that the spirituality of his soul reveals itself. For physics explains in some manner the mechanical working of the senses and the formation of ideas, but in the power to will, or rather to choose, and in the feeling of this power, we find only purely spiritual acts, about which nothing is explained by the laws of mechanics.

But if the difficulties which surround all these questions leave some room for contesting this difference between man and animal, there is another very particular quality which distinguishes them and about which there can be no dispute—that is, the faculty of perfecting oneself, a faculty which, with the help of circumstances, develops all the others in succession and which resides among us, as much in the species as in the individual; whereas an animal is, at the end of a few months, what it will be all its life, and its species at the end of a thousand years is what it was during the first year of this millennium. Why is man alone subject to becoming an imbecile? Is it not because that is when he returns to his primitive condition and because the beast, which has acquired nothing and also has nothing to lose, always retains his instinct, whereas man, once he loses by old age or other accidents everything which his *perfectibility* has led him to acquire, falls back in this way even lower than a beast? It would be sad for us to be forced to concur that this distinctive and almost unlimited faculty is the source of all the misfortunes of man, that this is what pulls him by the power of time out of this original condition, in which he would live through peaceful and innocent days, that it is what gives birth with the centuries to his enlightenment and his errors, his vices and his virtues, and eventually makes him the tyrant of himself and of nature.[1] It would be dreadful to be obliged to praise as a benevolent being the man who was the first to suggest to the inhabitant on the banks of the Orinoco the practice of tying onto the temples of his children those boards that assure them at least a portion of their imbecility and their original happiness.[1]

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[1] *his vices and his virtues … nature* The long note Rousseau appends here has been included as Appendix 1 below (page 317).

Savage man, left by nature merely to his instinct, or rather compensated for the instinct he perhaps lacks by faculties capable of replacing it at first and later raising him far above it, will thus begin with purely animal functions:[2] perceiving and feeling will be his first condition, which will be common to him and all the animals. Willing and not willing, desiring and fearing, will be the first and almost the only operations of his soul, until new circumstances produce new developments in it.

Whatever moralists may say about the subject, human understanding owes a great deal to the passions, which, by common acknowledgment, also owe a great deal to it. It is through their activity that our reason is perfected. We seek to understand only because we desire to enjoy, and it is not possible to conceive why someone who has neither desires nor fears would take the trouble to reason. The passions, in their turn, originate from our needs and their progress from our knowledge. For we cannot desire or fear things except through the ideas we can have about them or by simple natural impulse. And savage man, deprived of every kind of enlightenment, experiences only the passions of the latter sort: his desires do not go beyond his physical needs.[3] The only good things he knows in the universe are food, a female, and rest. The only evils he fears are pain and hunger. I say pain and not death, for an animal will never know what it is to die, and the knowledge of death and its terrors is one of the first acquisitions man made in moving away from the animal condition.

It would be easy for me, if that were necessary, to support this opinion with facts and to demonstrate that in all the nations of the world the progress of the mind has been exactly proportional to the needs people have received from nature or to those to which they have been subjected by circumstances, and as a result to the passions which encouraged them to supply those needs. I would show the arts being born in Egypt and expanding with the flooding of the Nile; I would follow their progress among the Greeks, where they were seen to germinate, grow, and rise to the heavens among the sands and rocks of Attica, without being able to take root on the fertile banks of the Eurotas. I would observe that in general the people of the north are more industrious than those of the south, because they can less afford not to be, as if nature wanted in this way to equal things out by giving their minds the fertility she denies their soil.

But without relying on the uncertain testimonies of history, who does not see that everything seems to remove from savage man the temptation and the means to cease being a savage? His imagination does not picture anything to him; his heart demands nothing of him. His modest needs are so easily found at hand, and he is so far from the degree of knowledge necessary for him to desire to obtain greater knowledge, that he can possess neither foresight nor curiosity. The spectacle of nature becomes indifferent to him by becoming familiar. There is always the same order, always the same revolutions. He does not have the mind to be astonished at the greatest marvels, and it is not in him that we must look for the philosophy man needs in order to know how to observe what he has been looking at every day. His soul, which nothing troubles, surrenders itself to the single feeling of his present existence, without any idea of the future, no matter how close it may be, and his projects, as limited as his views, hardly reach to the end of the day. Even now the degree of foresight in a native of the Caribbean is like that: in the morning he sells his cotton bed, and in the evening he comes crying to buy it back again, for lack of anticipating that he would need it for the next night.

The more one meditates upon this subject, the greater the distance from pure sense experience to the simplest knowledge grows before our eyes, and it is impossible to conceive how a man could, through his own power alone, without the aid of communication and without necessity's goad, have crossed over such an interval. How many centuries perhaps went by before men were in a position to see some fire other than the one in the sky? How many different chance events did they need in order to learn the most common uses of that element? How many times did they let it go out, before acquiring the art of reproducing it? And how many times perhaps did each of these secrets die with the man who had discovered it? What will we say about agriculture, an art which requires so much work and foresight, which depends on other arts, which is obviously practical only in a society that has at least begun, and which serves us, not so much to obtain from the earth foodstuffs that it would provide well enough without agriculture, as to force from it those preferences that are most to our taste? But let us suppose that men had multiplied to such an extent that natural productions were no longer sufficient to feed them, an assumption which, incidentally, would show that for the human species there was a great advantage in this way of life. Let us assume that, without forges and without workshops, tools for farming had fallen from heaven into the hands of savages, that these men had overcome the mortal hatred they all have for continuous labor, that they had learned to anticipate their needs so far ahead of time; that they had guessed how one must cultivate the earth, sow seeds, and plant trees; that they had discovered the arts of grinding wheat and setting grapes to ferment—all things they would have had to be taught by the gods, since it is inconceivable how they would have learned them on their own. After all that, what man would be so insane as to bother cultivating a field which will be stripped by the first newcomer, either man or beast, who finds this harvest agreeable? And how could each man decide to spend his life in painful work, when the more he needs the reward of that labor, the more certain he will be of not receiving it? In a word, how could this situation encourage men to cultivate the earth, so long as it has not been divided up among them, that is, so long as the state of nature has not been abolished?

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[1] *But if the difficulties … original happiness* Rousseau's account of perfectibility can be usefully compared to Descartes's conclusions about the purpose of cumulative knowledge and inquiry in his *Discourse on Method.*

[2] *animal functions* The long note Rousseau appends here on human variety has been included as Appendix 2 below (page 320).

[3] *his desires … physical needs* [Rousseau's note] This appears to me to be absolutely obvious, and I cannot understand where our philosophers can find the source for all the passions they ascribe to natural man. With the sole exception of physical necessity, which nature herself demands, all our other needs are only those that arise from habit, before which they were not needs, or from our desires, and one does not desire what one is in no condition to know. From this it follows that since savage man desires only things that he knows and knows only things that are within his power to possess, or that are easy to acquire, nothing must be so tranquil as his soul and nothing so limited as his mind.

If we wished to assume that savage man is as skillful in the art of thinking as our philosophers make him out to be, if we make him, following their example, into a philosopher himself, discovering on his own the most sublime truths, creating for himself, by sequences of very abstract argument, maxims of justice and reason derived from the love of order in general or from the known will of his Creator—in a word, if we were to assume that he has a mind with as much intelligence and enlightenment as he needs, but in fact we find him dull and stupid, what use would the species derive from all this metaphysics, which could not be communicated and would perish with the individual who had invented it? What progress could the human race have made scattered through the woods among the animals? And up to what point could men have perfected themselves and have enlightened each other, when they had no fixed domicile and no need for one another, and so would scarcely meet, perhaps twice in their lives, without knowing or talking to each other?

If one considers how many ideas we owe to the use of speech, how much grammar trains and facilitates the operations of the mind, and one thinks of the inconceivable difficulties and of the infinite time which the first invention of languages must have cost; if we link these reflections to the preceding ones, we will be able to judge how many thousands of centuries it must have taken for the human mind to sequentially develop the operations it can carry out.

Allow me to consider for a moment the difficulties concerning the origin of languages. I could content myself with citing or repeating here the investigations that the Abbé de Condillac[1] has made into this matter, which all fully confirm my opinion and perhaps gave me the original idea about it. But because the way in which this philosopher resolves the difficulties he makes for himself concerning the origin of established signs shows that he has assumed what I am putting into question—that is, a kind of society already established among the inventors of language—I believe that in referring to his reflections I ought to add my own to them in order to throw some light on these same difficulties in a manner appropriate to my subject. The first one that presents itself is to imagine how languages could have become necessary. For since men had no connections with each other, nor any need for them, one can conceive neither why this invention was necessary nor how it was possible, unless it was indispensable. I could well say, as do many others, that languages were born in the domestic interaction of fathers, mothers, and children. But aside from the fact that this would not resolve the objections, it would be committing the fault of those who, in reasoning about the state of nature, bring into it ideas taken from society and always see the family gathered together in the same dwelling with its members maintaining among themselves a union as intimate and as permanent as among us, where so many common interests keep them together; whereas, in this primitive condition, having neither house, nor huts, nor any kind of property, each man found his own lodging randomly, and often only for one night. The males and females came together fortuitously, according to chance encounters, opportunity, and desire, without speech being very necessary to interpret things they had to tell each other. They separated just as easily.[1] At first the mother suckled her children to satisfy her own need; then, once the habit made them dear to her, she later fed them to meet their needs. As soon as they had the strength to seek out their own food, they did not hesitate to leave the mother, and since there was hardly any way of finding each other again other than not to lose sight of one another, they were soon at the stage where they did not even recognize each other. Bear in mind as well that since the child has all his needs to explain, and consequently more things to say to the mother than the mother has to say to the child, it is the child who must play the most significant role in inventing language, and that the one it uses must be in large part its own work, which multiplies languages by as many individuals as there are to speak them. Contributing further to this is a wandering and vagabond life that does not give any idiom time to acquire consistency. For to say that the mother dictates to her child the words which it must use to ask her for something or other explains well enough how one teaches languages that are already formed but not how they are formed.

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[1] *Abbé de Condillac* (1714–80), influential French philosopher specialized in epistemology, or theories of knowledge. Rousseau here is referencing his *Essay on the Origin of Human Knowledge*, 2.1.1–7.

Suppose we have overcome this first difficulty. Let us for a moment move across the immense space that must have existed between the pure state of nature and the need for languages, and, assuming they are necessary,[2] let us examine how they could have started to get established. Here is a new difficulty, even worse than the previous one. For if men needed speech in order to learn how to think, they had an even greater need to know how to think in order to discover the art of speech. And even if we understood how vocal sounds were taken as the conventional interpreters of our ideas, it would still remain to know what in this convention could have been the particular interpretative sounds for those ideas which have no sensible object and thus could be indicated neither by gesture nor by voice, so that we can hardly form plausible conjectures about the origin of this art of communicating thoughts and establishing an exchange among minds, a sublime art which is already so distant from its origin, but which the philosopher still sees at such an enormous distance from its perfection that there is no man sufficiently bold to affirm that it will ever reach that point, even if the revolutions which time necessarily brings on should be suspended in its favor, and if prejudices were to leave the academies or remain silent before them, and if they could keep themselves working uninterrupted on this thorny issue for entire centuries.

Man's first language, the most universal language, the most energetic, and the only one he needed before he had to persuade groups of men, is the cry of nature. Since this cry was dragged out only by a kind of instinct in urgent situations, to plead for assistance in great dangers or for relief in violent distress, it was not used very much in the ordinary course of life, where more moderate sentiments prevail. When men's ideas began to expand and multiply, and when closer communication was established among them, they looked for more numerous signs and a more extensive language. They multiplied their vocal inflections and added gestures to them, which by their nature are more expressive and whose sense depends less on a previous determination. Thus, they expressed visible and moving objects by gestures and those that strike the ear by imitative sounds. But since a gesture indicates almost nothing except present objects, or those easy to describe, and visible actions, and since it is not universally applicable, for darkness or the interposition of a body makes it useless, and since it demands rather than attracts attention, they finally got the idea of substituting for gestures vocal articulations, which, without having the same relationship to particular ideas, are more appropriate to represent them all as established signs. This substitution could not be made except by common agreement and in a manner difficult enough to practice for men whose rudimentary vocal organs had not yet had any exercise and still more difficult to conceive in itself, since this common accord must have been motivated, and speech appears to have been extremely necessary for its use to be established.

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[1] *They separated just as easily* The long note Rousseau appends here on Locke's views has been included as Appendix 3 below (page 324).

[2] *assuming they are necessary* [Rousseau's note] I will take good care not to embark on the philosophical reflections one would need to make concerning the advantages and disadvantages of this institution of languages. It is not for me to be allowed to attack vulgar errors, and well-read people respect their prejudices too much to endure patiently my alleged paradoxes. So let us allow those people to speak for whom it has not been made a crime to sometimes dare to take the side of reason against the opinion of the multitude. *And nothing of the happiness of the human race would go away, if, when the trouble and confusion of so many languages have been dispensed with, mortals understood one art, and it would be permitted to explain anything by signs, motions, and gestures. But now, given the way things are, the condition of animals popularly believed to be brutes seems far better than ours in this respect, since they signify their feeling and thoughts without an interpreter more readily and perhaps more aptly than any mortals can, particularly if they use a foreign language.* Isaac Vossius, *de Poëmatum Cantu & Viribis Rythmi*, p. 66. [Rousseau gives the Latin text. Isaac Vossius, *De Poematum Cantu et Viribus Rythmi* (1673).]

We must assume that since the first words which men made use of had in their minds a much more extensive meaning than those we use in languages already formed, and that since they knew nothing about the division of speech into its constitutive parts, at first they gave each word the sense of an entire proposition. Once they began to distinguish the subject from the predicate and the verb from the noun, which was no mean effort of genius, the substantives at first were nothing more than so many proper nouns, the <present> infinitive was the only verb tense, and as far as adjectives are concerned, the idea for them must have developed only with great difficulty, because every adjective is an abstract word and abstractions are difficult and not very natural operations.

Every object at first was given a particular name, without regard to kinds and species, something which those first inventors were not in a position to distinguish, and all the discrete entities presented themselves to their minds as in isolation, as they do in the picture of nature. If one oak tree was called A, another oak tree was called B. <For the first idea one derives from two things is that they are not the same. Often a good deal of time is necessary to observe what they have in common.> Hence, the more limited their knowledge, the more extensive their dictionary became. The inconvenience of all this nomenclature could not have been easily removed, for to arrange beings under common and generic denominations, one had to know their properties and their differences. This required observations and definitions, that is, natural history and metaphysics, a great deal more than the men of those times could have had.

Furthermore, general ideas cannot be introduced into the mind except with the help of words, and the understanding does not grasp them except by propositions. That is one of the reasons why animals cannot form such ideas, nor ever acquire the perfectibility that depends on them. When a monkey goes without hesitation from one nut to another, do we think it has a general idea of this sort of fruit and that it compares its archetype to these two individual nuts? Undoubtedly not; but the sight of one of these nuts recalls to its memory sensations which it received from the other, and its eyes, modified in a certain way, announce to its taste the modification it is about to receive. Every general idea is purely intellectual. Once the imagination gets involved in the slightest, the idea immediately becomes particular. Try to draw for yourself the image of a tree in general; you will never succeed. In spite of yourself, it must be seen as small or large, sparse or leafy, light or dark, and if you were able to see there only what is found in every tree, that image would no longer resemble a tree. Purely abstract entities are seen in the same manner or are conceived only through discourse. Only the definition of the triangle gives you the true idea of it. As soon as you draw one in your mind, it is such and such a triangle and not another, and you cannot avoid giving it perceptible lines or a colored surface. We must therefore articulate propositions, and we have to speak in order to have general ideas. For as soon as the imagination stops, the mind moves no further except with the help of discourse. Hence, if the first inventors could give names only to ideas that they had already, it follows that these first substantives could never have been anything but proper nouns.

But when, by methods which I do not understand, our new grammarians began to extend their ideas and to generalize their words, the ignorance of the inventors must have subjected this method to very narrow limits, and since they had at the beginning excessively multiplied the names of discrete entities because they did not know about genera and species, they later created too few species and genera, for lack of having considered beings by all their differences. To push these divisions far enough would have required more experience and enlightenment than they could have had, along with more research and work than they wanted to spend on it. Now, if, even today, we are discovering every day new species which so far have escaped all our observations, think how many must have been hidden from men who did not judge things except by their first appearance! As for primitive classes and the most general notions, it is superfluous to add that these must have escaped them as well. How, for example, would they have imagined or understood the words matter, mind, substance, mode, figure, and movement, given that our philosophers, who have made use of them for such a long time, themselves have real difficulty understanding them and that, since the ideas attached to these words are purely metaphysical, they found no model of them in nature?

I stop with these first steps, and I beg my judges to suspend their reading here, in order to consider, in this matter of the invention of physical substantives alone, that is to say, of the part of language easiest to discover, the road language must still travel to express all the thoughts of men, to take on a constant form, to be able to be spoken in public, and to influence society. I beg them to reflect on the time and knowledge it must have required to find numbers,[1] abstract words, aorists, and all the verb tenses, particles, and syntax, to connect propositions and arguments, and to form the entire logic of discourse. As for myself, frightened by the multiplying difficulties and convinced of the almost proven impossibility that languages could have arisen and established themselves by purely human means, I leave to whoever wishes to undertake it the discussion of the following difficult problem: Which was more necessary, that society be already in place for the institution of languages or that languages be already invented for the establishment of society?

Whatever these origins may be, at least we see, from the little care which nature took to bring men together through their mutual needs and to facilitate the use of speech for them, how little she prepared them for sociability and how little she contributed of her own to everything they have done in order to establish social bonds. In fact, it is impossible to imagine why, in this primitive state, one man would have more need of another man than a monkey or a wolf would of a creature like itself, or, if we assume this need, what motive could persuade the other man to provide it, or even, in this last case, how they could mutually agree on terms. I know that people constantly repeat to us that nothing would have been so miserable as man in this state and, if it is true, as I believe I have proved, that man could not have had the desire and the opportunity to leave this state until after several centuries, that would be an indictment against nature and not against the one she had constituted in this way. But if I understand this term *miserable* properly, it is a word that has no meaning, or that signifies only a painful lack and a physical or spiritual suffering. Now, I really would like someone to explain to me what type of misery there could be for a free being whose heart is at peace and whose body is healthy. I ask the following: Which is more subject to becoming unbearable for those who enjoy it, a civil or natural life? Around us we see hardly any people who do not complain about their existence and several who even take their own lives, to the extent they are capable of it, and the combination of divine and human laws is scarcely sufficient to check this disorder. I ask, has anyone ever heard it said that a savage at liberty has so much as dreamed of complaining about life and of killing himself? Thus should people judge with less pride on which side true misery lies. By contrast, nothing would have been as miserable as savage man dazzled by enlightenment, tormented by passions, and reasoning about a state different from his own. It was thanks to a very wise providence that the potential faculties he had were to develop only with opportunities to practice them, so that they were neither superfluous nor a bother to him before then, nor belated and useless when needed. He had in instinct alone everything he needed to live in a state of nature, and in a cultivated reason has only what he needs to live in society.

At first it seems that since men in this state did not have any kind of moral relations among themselves or any known duties, they could not have been either good or bad or have had either vices or virtues, unless we take these words in a physical sense and call vices in the individual the qualities which can injure his own preservation and virtues those which can contribute to it, in which case we would have to call the most virtuous men those who least resisted the simple natural impulses. But without moving away from the ordinary meaning of these words, it is appropriate to suspend the judgment we could bring to bear on such a situation and to resist our prejudices until, scale in hand, we have examined if there are more virtues than vices among civilized men, or if their virtues are more advantageous than their vices calamitous, or if the progress of their knowledge is a sufficient compensation for the evils they inflict on one another, as they learn about the good they ought to do, or if, taking everything into account, they would not be in a happier situation if they did not have anything bad to fear or good to hope for from anyone, rather than being subjected to universal dependency and obliged to receive everything from those who are not obligated to give them anything.

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[1] *find numbers* [Rousseau's note] Plato [*Republic,* 7.522], in demonstrating how much ideas of discrete quantity and its relationships are necessary in the least of the arts, mocks with reason the authors of his time who claimed that Palamedes had invented numbers at the siege of Troy, as if, says this philosopher, Agamemnon could not have known up to then how many legs he had. In fact, we know that it would have been impossible for society and the arts to have reached the stage they had already attained at the time of the siege of Troy had men not had the use of numbers and calculation. But the need to understand numbers before acquiring other knowledge does not make their invention easier to imagine. Once the names of the numbers are known, we can easily explain what they mean and bring out the ideas these names represent; but to invent them, one must, before conceiving these same ideas, be, as it were, familiar with philosophical meditations, trained in thinking about beings according to their essence alone, independently of all other perception, a very difficult and very metaphysical abstraction, scarcely natural, and yet without which these ideas could never have been carried from one species or genus to another, nor could numbers have become universal. A savage could have considered his right leg and his left leg separately, or looked at them together under the indivisible idea of a pair, without ever thinking he had two of them. For the representative idea that pictures an object for us is one thing, and the numerical idea that determines it is another. Even less could he have counted up to five, and although, by placing his hands against each other, he would have been able to notice that the fingers corresponded exactly, he was still very far from thinking about their numerical equality. He did not know the number of his digits any more than the number of his hairs, and if, once he was made to understand what numbers were, someone had told him that he had as many digits on his feet as on his hands, perhaps he would have been quite surprised, when he compared them, to discover that this was true.

Above all, let us not conclude with Hobbes that, since man has not the slightest idea of goodness, he is naturally wicked, that he is vicious because he does not know virtue, that he always denies his fellows services which he does not believe he owes them, and that, by virtue of the right which he reasonably attributes to himself to things he needs, he wildly imagines that he alone owns the entire universe.[1] Hobbes saw very well the defect of all the modern definitions of natural right, but the conclusions he draws from his own show that he took it in a sense that is no less erroneous. By reasoning on the basis of the principles he established, this author should have said that since the state of nature is the one in which care for our own preservation is the least prejudicial to the preservation of others, this state was therefore the most appropriate to peace and the most suitable for the human race. He says precisely the opposite, because he made the mistake of allowing into savage man's care for his own preservation the need to satisfy a multitude of passions that are the work of society and have made laws necessary. The wicked man, he says, is a robust child. But whether savage man is a robust child remains to be known. If we granted him this point, what would he conclude from it? That if, when he is robust, this man was just as dependent on others as when he is weak, there is no kind of excess to which he would not be carried: he would strike his mother when she was too late giving him her teat, he would strangle one of his young brothers when he annoyed him, and he would bite someone else's leg when it struck or bothered him. But being robust and being dependent in the state of nature are two contradictory assumptions. Man is weak when he is dependent, and he is free before he is robust. Hobbes did not see that the same cause that prevents savages from using their reason, as our jurists claim, prevents them at the same time from abusing their faculties, as he himself claims, so that we could say that savages are not evil precisely because they do not know what it is to be good. For it is neither the development of enlightenment nor the restraint of law which prevents them from doing evil, but the tranquility of their passions and their ignorance of vice: *That is how much more ignorance of vice is profitable to those men, than a knowledge of virtue is to these.*[2] There is, in addition, another principle, which Hobbes did not notice, and which, having been given to man to soften, in certain circumstances, the ferocity of his *amour propre* or, before the birth of this love, the desire to preserve himself,[3] tempers the ardor he has for his well-being by an innate repugnance to seeing a creature like himself suffer. I do not think I have to fear any contradiction by ascribing to man the only natural virtue that the most extravagant detractor of human virtues has been forced to recognize. I am speaking of pity, a disposition appropriate to beings as weak and subject to as many evils as we are, a virtue all the more universal and all the more useful to man because in him it comes before he uses any reflection and is so natural that even beasts occasionally provide some perceptible signs of it. Without speaking of the tenderness of mothers towards their young and the dangers they face to keep them safe, we see every day the repugnance of horses at stepping on a living body. An animal does not move past a dead animal of its own species without unease. There are even some who give them a kind of burial. And the sad lowing of cattle as they move into a slaughterhouse indicates the impression they get of the horrific spectacle which strikes them. With pleasure we see the author of the *Fable of the Bees* compelled to recognize man as a compassionate and sensitive being and, in the example he gives of that, moving away from his cold and subtle style, in order to offer us the pathetic image of a man in prison who notices outside a ferocious beast ripping a child from its mother's breast, crushing its weak limbs in its murderous teeth, and ripping out with its claws this child's quivering entrails.[1] What horrific agitation must be felt by this witness to an event in which he has no personal interest? What agonies does he not suffer from the sight and from his inability to bring any help to the fainting mother or the dying child?

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[1] *Above all ... entire universe* Rousseau is referencing broadly the arguments of chapter 13 in Hobbes's *Leviathan*.

[2] *That is how ... is to these* From the Latin of Justin, *Histories*, 2.2.

[3] *preserve himself* [Rousseau's note] One must not confuse *amour propre* with *amour de soi-même*, two very different passions in their natures and in their effects. *Amour de soi-même* is a natural feeling that inclines every animal to see to its own preservation and which, guided in man by reason and modified by pity, produces humanity and virtue. *Amour propre* is only a relative feeling, factitious and born in society, which inclines each individual to be preoccupied with himself more than with anyone else, which inspires in men all the evils they do to each other, and which is the real source of honor.

Once this is well understood, I say that in our primitive condition, in the true state of nature, *amour propre* does not exist. For since each individual man looks at himself as the only spectator who observes him, as the only being in the universe who takes an interest in him, and as the only judge of his own merit, it is impossible that a sentiment that originates from comparisons, which he has no inclination to make, could spring up in his soul. For the same reason, this man could have neither hatred nor desire for vengeance, passions that can arise only from the feeling of some offense he has received. And since it is scorn or the intention to harm and not the evil itself that constitutes the offense, men who do not know either how to assess or to compare themselves can commit a great deal of violence against each other when there is some advantage to them in doing so, without ever offending each other. In a word, since each man hardly looks at his fellow men except in the way he would look at animals of a different species, he can carry off the prey of the weaker man or yield his to the stronger, without seeing these acts of plunder as anything other than natural events, without the least impulse of insolence or bitterness and without any passion other than the pain or joy at a good or a bad outcome.

That is what the pure movement of nature is like, before all reflection. Such is the force of natural pity, which the most depraved morals still have trouble destroying, since we see every day in our theatres a man being moved and weeping at the troubles of some unfortunate person, the kind of man who, if he were in a tyrant's position, would increase even more his enemy's torments <like bloodthirsty Sulla,[2] who was so sensitive to the evils he had not caused, or like Alexander of Pherae,[3] who did not dare attend the performance of any tragedy for fear he might be seen weeping with Andromache and Priam, and who nonetheless listened without feeling anything to the cries of so many citizens who were butchered on his orders every day: *By giving tears, nature reveals that she gave the human race the softest hearts*[4]>.

Mandeville well perceived that with all their morality human beings would never have been anything but monsters, if nature had not given them pity to assist their reason. But he did not see that from this quality alone follow all the social virtues that he wants to deny to men. In fact, what are generosity, clemency, and humanity, if not pity applied to the weak, to the culpable, or to the human species in general? Even benevolence and friendship, properly understood, are products of a constant pity fixed on a particular object. For what is desiring that someone does not suffer other than desiring that he is happy? Even if it were true that commiseration was merely a feeling which places us in the position of the person suffering, an obscure and lively sentiment in savage man, and developed but weak in civil man, how would this idea affect the truth of what I am saying, unless to reinforce it? In fact, commiseration will be all the more intense as the animal looking on identifies more intimately with the suffering animal. Now, it is evident that this identification must have been infinitely closer in the state of nature than in the state of reasoning. It is reason that gives rise to *amour propre*, and it is reflection that strengthens it. Reason is what turns man back onto himself; it is what separates him from everything which upsets and afflicts him. It is philosophy that isolates him. It is by way of it that he says in secret, at the sight of a man suffering: "Perish if you wish; I am safe." Nothing troubles the calm sleep of the philosopher and drags him from his bed any more, other than dangers to all of society. One can slit the throat of his fellow man under the philosopher's window with impunity; he has only to put his hands over his ears and argue with himself for a little while in order to prevent nature, which rebels within him, from identifying with the one being murdered. Savage man does not have this admirable talent and, for lack of wisdom and reason, is always surrendering to the first feeling of humanity, without thinking about it. In riots and street quarrels, the populace crowds together, while the prudent man moves away. It is the riff-raff, it is the women of the market who separate the combatants and prevent honest folk from cutting each other's throats.

Hence, it is certain that pity is a natural feeling that, by moderating in each individual the activities of his *amour de soi-même*, contributes to the mutual preservation of the entire species. It is pity that prompts us without reflection to help those we see suffering and which, in the state of nature, takes the place of laws, morals, and virtue, with this advantage: no one is tempted to disobey its sweet voice.

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[1] *With pleasure we see … quivering entrails* A reference to Bernard Mandeville's *Fable of the Bees*.

[2] *Sulla* (138–78 BCE) was a Roman politician who seized control of Rome and persecuted his enemies.

[3] *Alexander of Pherae* (d. 358 BCE) was a tyrant in Thessaly, finally killed by members of his family. Priam and Andromache, of the Trojan royal family, were frequently portrayed in tragic drama.

[4] *By giving tears … softest hearts* Rousseau quotes the Latin from the satirist Juvenal: *Mollissimacorda / Humano generi dare se natura fatetur / Quae lacrimas dedit.*

It is pity that will deter every robust savage from robbing a weak child or an infirm old man of the subsistence they have with difficulty acquired, if he himself hopes to be able to find his own elsewhere. It is pity that, in the place of this sublime maxim of rational justice—*Do unto others what you wish they do unto you*—inspires in all men this other maxim of natural goodness, much less perfect than the preceding one, but perhaps more useful: *Do what is good for you with the least possible harm to others*. Briefly put, it is in this natural sentiment rather than in subtle arguments that we must seek out the cause of the repugnance that all men would experience at doing wrong, even independently of educational maxims. Although it could be appropriate for Socrates and minds of his caliber to acquire virtue through reason, the human race would have ceased to be a long time ago, if its preservation had depended solely on the reasoning of those who constitute it.

With passions so little active, and with such a healthy restraint, men more wild than evil and more attentive to keeping themselves from the harm they could receive than tempted to commit harm to others were not subject to very dangerous quarrels. Since they had no type of interaction with each other and, as a result, had no knowledge of vanity or respect or esteem or contempt, since they did not have the least notion of *yours* and *mine* or any genuine idea of justice, since they looked upon the violence which they could run into as an easily redressed harm rather than an affront one must punish, and since they did not even dream of vengeance, except perhaps as an immediate mechanical reflex, like the dog that bites the stone thrown at him, their disputes would rarely have had bloody consequences, if they had no subject more pressing than food. But I see a more dangerous matter about which I still have to speak.

Among the passions which disturb man's heart, there is one which is ardent and impetuous and which makes one sex necessary to the other, a terrible passion that defies all dangers, overturns all obstacles, and in its fury seems likely to destroy the human race which it is destined to preserve. What would become of men in the grip of this frantic and brutal rage, without shame, without modesty, and fighting every day over their loves at the expense of their blood?

First, we must acknowledge that the more violent the passions are, the more laws are necessary to contain them. But setting aside the fact that the disorders and crimes that the passions cause every day among us sufficiently demonstrate the inadequacy of laws in this matter, it would still be good to examine if these disorders were not born with the laws themselves. Thus if they were capable of repressing these disorders, the least we should demand of laws would be that they stop an evil which would not exist without them.

Let us begin by distinguishing the moral from the physical in the feeling of love. The physical is that general desire which encourages one sex to unite with the other; the moral is what determines this desire and fixes it on a single object exclusively, or which at least provides it with a greater degree of energy for this preferred object. Now, it is easy to see that the moral aspect of love is an artificial sentiment, born from social habit and celebrated by women with a great deal of skill and care in order to establish their sway and to make dominant the sex that should obey. Since this feeling is founded on certain notions of merit or beauty that a savage is in no condition to have, and on comparisons he is not capable of making, it must be almost nothing for him. For as his mind could not form abstract ideas of regularity and proportion, so his heart is no more susceptible to the sentiments of admiration and love which, even imperceptibly, arise from the application of these ideas. He listens exclusively to the temperament he has received from nature, not to the taste he could not have acquired, and any woman is fine with him.

Limited solely to the physical aspect of love, and happy enough to be ignorant of those preferences which stimulate sentiment and increase the difficulties it causes, men must feel the ardor of their temperaments less frequently and less vividly, and thus the disputes among them must be rarer and less cruel. The imagination, which creates so many ravages among us, does not speak to savage hearts. Each man waits peacefully for the natural impulse, surrenders to it without choice and with more pleasure than fury, and once the need is satisfied, all desire is extinguished.

It is thus indisputable that love itself, like all the other passions, only acquires in society that impetuous ardor that makes it so often fatal to men, and it is all the more ridiculous to picture savages continually slitting each other's throats in order to satisfy their brutality, since this view is directly contrary to experience: of all existing people, those in the Caribbean are the ones who, up to this point, have strayed the least from the state of nature, and they are precisely the ones who are the most peaceful in their loves and the least subject to jealousy, even though they live in a burning climate which always seems to generate greater activity in these passions.

With respect to the conclusions we could draw in several species of animals from the fighting of the males, who in every season bloody our barnyards or make our forests in springtime echo with their cries, as they quarrel over the female, we must begin by excluding all species where nature has manifestly established in the relative power of the sexes relationships different from those among us. Thus, one can draw no conclusion about the human species from fights among roosters. In species where proportion is better observed, these fights can be caused only by the scarcity of females with respect to the number of males, or by the exclusive periods during which the female constantly refuses the male's approach, a factor which goes back to the first cause. For if each female endures the male only for two months of the year, that is, in this matter, as if the number of females were reduced by five-sixths. Now, neither of these two cases applies to the human species, where the number of females generally surpasses the number of males and where no one has ever observed, even among savages, that females have times of heat and of exclusion, like those in other species. Moreover, since with several of these animals the entire species goes into heat at the same time, there comes a terrible moment of common passion, tumult, disorder, and combat, a time which has no place among the human species, where love is never intermittent. Hence, we cannot conclude from the fights among certain animals for the possession of the females that the same thing would happen to man in the state of nature. And even if we could draw this conclusion, since these quarrels do not destroy other species, we must at least grant that they would not be any more fatal to ours, and it is very apparent that they would cause even fewer ravages in that state than they do in society, above all in the countries where, because morality still counts for something, the jealousy of lovers and the vengeance of husbands every day cause duels, murders, and worse, where the obligation to be eternally faithful serves only to produce adulteries, and where even the laws dealing with continence and honor necessarily foster debauchery and multiply abortions.

Let us conclude that wandering in the forests without labor, without speech, without a home, without war, and without relationships, with no need for his fellow men, and similarly with no desire to harm them, perhaps even without ever recognizing any of them individually, savage man, subject to few passions and self-sufficient, would have had only the sentiments and enlightenment appropriate to this state. He would have felt nothing but his true needs and looked only at what he believed he had an interest in seeing. His intelligence would have progressed no further than his vanity. If by chance he made some discovery, he could no more have communicated it than he could have recognized even his own children. Art died with the inventor. There was neither education nor progress. The generations multiplied aimlessly, and, since each one always set out from the same point, the centuries flowed past in all the coarseness of the first ages. The species was already old, and man remained a child.

If I have dwelt for so long on the hypothesis of this primitive condition, it is because, having ancient errors and inveterate prejudices to destroy, I thought I should dig right down to the root and, in a picture of the true state of nature, show how far inequality, even natural inequality, is from being as real and having as much influence in this state as our writers claim.

In fact, it is easy to see that among the differences that distinguish men, several are considered natural which are exclusively the work of habit and of the different ways of life men adopt in society. Thus, a robust or delicate temperament, along with the strength or weakness which stems from it, often come more from the rough or effeminate manner in which one has been raised than from the body's original constitution. It is the same with the forces of the mind. Education not only establishes a difference between cultivated minds and those that are not, but it increases the difference among the former group in proportion to their culture. For if a giant and a dwarf walk along the same route, each pace the two of them take will give a new advantage to the giant. Now, if we compare the prodigious diversity in the forms of education and ways of life which prevail in the different orders of the civil state with the simplicity and uniformity of animal and savage life, where everyone feeds on the same foods, lives in the same manner, and does exactly the same things, we will understand how much the difference between man and man must be less in the state of nature than in society, and how much natural inequality must increase in the human species as a result of the inequality of institution.

But if nature, in the distribution of her gifts, were inclined to show as much preference as people claim, what advantage would the most favored have derived from that to the detriment of others in a state of things which does not admit of hardly any sort of relation between them? Where there is no love, what use will beauty serve? What is the use of intelligence for people who do not speak, and deception for those who have no dealings with others? I always hear it repeated that the strongest will oppress the weak. But let someone explain to me what they mean by this word *oppression*.

Some will dominate with violence; others will groan, enslaved to all their whims: that is precisely what I observe among us. But I do not see how that could be said of savage men, since it would be very difficult even to make them understand what *servitude* and *domination* are. One man will be readily able seize the fruits which someone else has gathered, the game he has killed, or the den that served as his refuge. But how will he ever succeed in making another man obey him, and what could be the chains of dependence among men who possess nothing? If someone chases me away from a tree, I leave it to go to another. If someone torments me in one place, who will stop me from moving on somewhere else? Is a man to be found whose strength is sufficiently superior to mine and who is, in addition, sufficiently depraved, sufficiently lazy, and sufficiently ferocious to compel me to provide his subsistence while he remains idle? He would have to resolve not to let me out of his sight for a single instant and to keep me bound with very great care while he slept, for fear I should escape or kill him. In other words, he is obliged to expose himself voluntarily to a great deal more trouble than he wishes to avoid and more than he gives me. After all that, does he relax his vigilance momentarily? Does an unexpected noise make him turn his head? I take twenty paces into the forest, my chains are broken, and he does not see me again in his life.

Without needlessly prolonging these details, everyone should see that, since the bonds of servitude are not formed except by the mutual dependency of men and by the reciprocal needs which unite them, it is impossible to subjugate a man without previously putting him in a situation where he is unable to do without someone else. Since this condition does not exist in the state of nature, it leaves each man in it free of the yoke and voids the law of the strongest.

Now that I have proved that inequality is hardly perceptible in the state of nature and that its influence there is almost nothing, it remains for me to show its origin and its progress in the successive developments of the human mind. Having demonstrated that *perfectibility*, the social virtues, and the other faculties which natural man received in a potential form could never have developed on their own, that for this to happen they needed the fortuitous combination of several foreign causes, which might never have arisen and without which he would have lived forever in his primitive condition, I still have to consider and reconcile the different accidents which could have perfected human reason while degrading the species, made a being wicked while making him sociable, and from such a remote time finally led man and the world to the point where we see them.

I confess that since the events I have to describe could have come about in several ways, I am not able to choose except by conjecture. But apart from the fact that these conjectures become reasons when they are the most probable that can be derived from the nature of things and are the only means we can have for discovering the truth, the consequences I wish to deduce from mine will not, for that reason, be speculation; because on the principles that I have just established, one could not form any other system which does not provide me with the same results and from which I could not draw the same conclusions.

This will spare me from expanding my reflections on how the lapse of time compensates for the small probability of events, about the surprising power of very slight causes when they are constantly at work, about the impossibility, on the one hand, of destroying certain hypotheses, even though, on the other hand, we cannot give them the certainty of facts about how, when two facts, given as true, are to be linked by a sequence of intermediate facts that are unknown or regarded as such, it is up to history, when one has it, to present the facts which link them and, when the history is absent, it is up to philosophy to determine similar facts which could link them; finally, about how, where the events are concerned, similarity reduces the facts to a much smaller number of different classes than one might imagine. It is sufficient for me to offer these things to the consideration of my judges; it is enough for me to have done so in such a way that ordinary readers have no need to consider them.

Second Part

The first man who, after enclosing a piece of land, got the idea of saying *This is mine* and found people simple enough to believe him was the true founder of civil society. What crimes, what wars, what murders, what miseries and horrors would someone have spared the human race by pulling out the stakes or filling in the ditch and crying out to his fellows, "Stop listening to this imposter. You are lost if you forget that the fruits of the land belong to everyone and the earth belongs to no one." But it appears very likely that by this time things had already come to the point where they could no longer continue as they were. For this idea of property depends on many previous ideas that could only have arisen in succession and thus was not formed in the human mind all at once. A good deal of progress was necessary: men had to acquire significant industry and enlightenment, and transmit and increase them from one era to the next, before arriving at this last stage in the state of nature. So let us take up these matters from the beginning and try to gather from a single perspective this slow sequence of events and knowledge in their most natural order.[1]

Man's first sensation was that of his existence; his first care was his preservation. The productions of the earth provided him with all the help necessary. Instinct prompted him to make use of them. Hunger and other appetites made him try in turn various ways of life. There was one that urged him to perpetuate his species, and this blind impulse, lacking all heartfelt sentiment, produced only a purely animal act. The need satisfied, the two sexes no longer recognized each other, and even the child was nothing to the mother as soon as it could do without her.

Such was the condition of emerging man; such was the life of an animal limited at first to pure sensations, scarcely profiting from the gifts that nature offered him, and a long way from dreaming of wresting anything away from her. But difficulties soon presented themselves that he had to learn to overcome: the heights of trees which prevented him from reaching their fruits, the competition with animals who were seeking to eat these fruits, and the ferocity of those who wanted to take his life over them—everything required him to apply himself to exercising his body. He had to make himself agile, a fast runner, and vigorous in combat. Natural weapons—tree branches and stones—were soon found at hand. He learned to overcome natural obstacles, to fight other animals when necessary, to contend for his subsistence even with other men, or to compensate for what he had to cede to the stronger.

As the human race spread out, the difficulties multiplied with the men. Different terrains, climates, and seasons could force them to establish different ways of life. Some barren years, long harsh winters, and burning summers that consume everything demanded from them new industry. Along the sea and rivers, they invented line and hook and became fishermen and fish-eaters. In the forests they made bows and arrows and became hunters and warriors. In cold countries, they covered themselves with the hides of beasts they had killed. Lightning, a volcano, or some fortunate accident gave them knowledge of fire, a new resource against the rigors of winter. They learned to preserve this element, then to reproduce it, and finally to use it for preparing meat, which heretofore they had devoured raw.

This repeated application of beings different from himself and from each other must have naturally engendered in man's mind perceptions of certain connections. Those relationships which we express by the words *large*, *small*, *strong*, *weak*, *fast*, *slow*, *fearful*, *bold*, and other similar ideas, which he compared when necessary and almost without thinking about it, finally produced in him some sort of reflection or rather a mechanical prudence which indicated to him the precautions most essential to his safety.

The new enlightenment that resulted from this development increased his superiority over other animals by making him aware of it. He practiced setting traps for them, he fooled them in a thousand ways, and although several surpassed him in their fighting strength or in running speed, over time he became the master of those that could serve him and the scourge of those that could harm him. That is why the first time he glanced at himself produced in him the initial stirring of pride, and why, when he still hardly knew how to distinguish ranks, he looked at himself as pre-eminent of his species and prepared himself from a great distance to make that claim as an individual.

Although his fellow men were not for him what they are for us, and he had hardly more interaction with them than with the other animals, they were not forgotten in his observations. After a while, he was able to observe conformities among them, his female, and himself. These made him judge those he did not perceive, and seeing that they all behaved as he would have done in similar circumstances, he concluded that their way of thinking and feeling was entirely similar to his own. This important truth, once firmly established in his mind, made him follow by a premonition as certain and more rapid than rational logic the best rules of conduct which were appropriate to use with them for his own advantage and security.

Taught by experience that love of well-being is the only motive for human actions, he found himself in a position to distinguish the rare occasions when common interest should make him count on the assistance of his fellow men, and the even rarer times when competition should make him distrust them. In the first case, he joined up with them in a herd or at most in some sort of free association with obligations for none and which lasted only as long as the temporary need which had created it. In the second case, each man sought to secure his own advantage, whether by overt force, if he believed he could, or by skill and subtlety, if he felt himself the weaker.

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[1] *The first man … most natural order* The narrative emerging here from an Edenic "Golden Age" to a decline by virtue of the introduction of private property can be found in Seneca (c. 4 BCE–65 CE) as well as in Saint Ambrose (c. 340–97). See Peter Brown, *Through the Eye of a Needle* (Princeton: Princeton University Press, 2012), 131–32.

That is how men were able imperceptibly to acquire some rough idea of mutual undertakings and of the advantage of fulfilling them, but only to the extent that present and perceptible interest could demand it. For looking ahead meant nothing to them, and, far from concerning themselves with a distant future, they did not think even about the next day. If it was a matter of catching a deer, each man sensed well that to do so he should keep his position faithfully. But if a hare happened to go past within reach of one of them, one can be sure he went after it without a scruple and, having caught his prey, cared very little about making his companions lose theirs.

It is easy to understand that this sort of interaction did not require a language much more sophisticated than that of crows or monkeys, who muster in groups in almost the same manner. Some inarticulate cries, lots of gestures and some imitative noises must have made up the universal language for a long time. Since in each country some articulated and agreed-upon signs were added to this, the establishment of which, as I have already said, is not very easy to explain, there were particular languages, but crude and imperfect ones, almost like those various savage nations still have today. Under the pressure of time passing, the profusion of things I have to say, and the almost imperceptible progress of the beginnings, I am racing through countless centuries, for the more slowly the events succeeded one another, the more quickly they can be described.

At last these first advances made man capable of making more rapid ones. The more his mind was enlightened, the more his industry was perfected. Soon he ceased to sleep under the first tree or to withdraw into caverns. He made hatchets of some kind from hard, sharp stones which served to cut wood, dig the earth, and build huts out of branches, and he later got the idea of coating these with clay and mud. This was the age of a first revolution that led to the establishment and differentiation of families and introduced a form of property, from which perhaps even then arose many quarrels and fights. However, as the strongest were probably the first to make themselves lodgings they felt capable of defending, it is plausible that the weak ones found it quicker and safer to imitate them than to try to dislodge them. And as for those who already had huts, none of them could have had much inclination to take over his neighbor's, not so much because it did not belong to him as because it was useless to him, and because he could not have seized it without engaging in a very intense fight with the family that occupied it.

The first developments of the heart were the result of a new situation that united husbands and wives, fathers and children in one common dwelling. The habit of living together gave rise to the most tender feelings known to men: conjugal and paternal love. Each family became a small society, all the more unified since mutual attachment and freedom were its only bonds. It was then that arose the first difference in the ways of life of the two sexes, which up to this point had had only one. The women became more sedentary and grew accustomed to looking after the hut and the children, while the men went off to search for their common subsistence. In this way, through a slightly softer life, the two sexes began to lose something of their ferocity and vigor. But if each one separately became less suited for fighting savage beasts, on the other hand, it was easier to gather together to resist them in common.

In this new state, with a simple and solitary life, very limited needs, and the tools they had invented to provide for them, men enjoyed a great deal of leisure time and used it to produce for their own convenience several types of amenities unknown to their fathers. And that was the first yoke they unwittingly imposed on themselves and the first source of the evils they were preparing for their descendants. For, aside from the fact that in this way they continued to soften their bodies and minds, these amenities, through habit, lost almost all their charm and, at the same time, degenerated into real needs. It became much more cruel to lack them than sweet to possess them, and people were sad to lose them without being happy to own them.

Here we glimpse a little better how the use of speech was imperceptibly established or perfected within the bosom of each family, and it is possible to surmise once more how various particular causes could extend language and accelerate its progress by making it more necessary. Massive floods or earthquakes surrounded some inhabited regions with water or precipices. Revolutions of the earth broke off portions of the continent and split them up into islands. We can understand that among men brought together in this way and forced to live together, there must have formed a common idiom, more so than among those who wandered freely in the forests on the mainland. Thus, it is very possible that after their first attempts at navigation, some islanders brought among us the use of speech. And it is at least highly probable that society and languages originated in the islands and were perfected there before being known on the mainland.

Everything begins to change how it looked. Men who have thus far wandered in the woods, once they adopt a more stable settlement, slowly come together, are united in various bands, and finally form in each region a particular nation, unified in their customary traditions and characters, not by regulations and laws, but by the same way of life and diet and by the common influence of climate. A permanent settlement cannot fail to eventually create some connections among various families. The young people of different sexes live in neighboring huts, and the passing interaction that nature demands soon leads, through time spent in each other's company, to another no less sweet and more permanent. People grow accustomed to considering different objects and to making comparisons. They imperceptibly acquire ideas of merit and beauty, which produce sentiments of preference. By dint of seeing one another, they can no longer go without seeing each other again. A tender and sweet sentiment insinuates itself into the heart, and at the least opposition turns into an impetuous rage: jealousy awakens with love; discord triumphs, and the gentlest of passions receives sacrifices of human blood.

As ideas and sentiments succeed one another and the mind and heart are drawn out, the human race continues to become domesticated, relationships expand, and bonds tighten. People became used to assembling in front of the huts or around a large tree. Singing and dancing, true children of love and leisure, became the amusement or rather the occupation of idle and congregated men and women. Each began to look at the others and to want to be looked at, and public esteem was valued. The one who sang or danced the best, the handsomest, the strongest, the most skillful, or the most eloquent became the most highly thought of, and that was the first step towards inequality and, at the same time, towards vice. From these first preferences were born, on the one hand, vanity and scorn and, on the other, shame and envy, and the fermentation brought about by these new leavens eventually produced compounds fatal to happiness and innocence.

As soon as men began to appreciate one another and the idea of respect was formed in their minds, everyone claimed to have a right to it, and failing to respect someone was no longer possible with impunity. From that emerged the first duties of civility, even among savages, and consequently deliberate wrong became an outrage, because, along with the harm resulting from the injury, the offended party often considered the contempt for his person more unbearable than the harm itself. And so, because each man punished the contempt which had been shown to him in a manner proportional to his own self-esteem, acts of vengeance became terrible, and men bloody and cruel. This is precisely the stage reached by the majority of savage peoples known to us. And because several peoples have not sufficiently distinguished among ideas and observed how distant they already were from the first state of nature, they have rushed to conclude that man is naturally cruel and needs civil order to mollify him; whereas nothing is as gentle as he is in his primitive state, when, placed by nature at equal distances from the stupidity of beasts and the lethal enlightenment of civil man and equally limited by instinct and by reason to protecting himself from the harm which threatens him, he is restrained by natural pity from doing harm to anyone himself, since nothing inclines him to do so, not even after he has been harmed himself. For, according to the axiom of the wise Locke, *There can be no injury where there is no property.*[1]

But it is necessary to remark that once society started and relationships among men were already established, different qualities were required in them from those that they retained from their primitive constitution. Morality began to introduce itself into human actions. Before there were laws, each man was the sole judge and avenger of the offences he had received, and thus the goodness suitable to the pure state of nature was no longer appropriate to emerging society. Punishments had to become more severe as opportunities to offend became more frequent, and the dread of vengeance had to replace the restraint of laws. Thus, although men had become less hardy and natural pity had already suffered some change, because this period in the development of human faculties held a clear middle position between the indolence of the primitive state and the petulant activity of our *amour propre*, it must have been the happiest and most durable epoch. The more we reflect on this, the more we find that this state was the least subject to revolutions and the best for man[2] and that he must have emerged from it only through some fatal chance, which for the common utility should never have happened. The example of savages, almost all of them discovered at this stage, seems to confirm that the human race was made to remain in it forever, that this state is the true youth of the world, and that all later progress has looked like so many steps towards the perfection of the individual but has, in reality, been towards the decrepitude of the species.

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[1] *For, according to … no property* According to Locke, "Where there is no property, there is no injustice." *Essay on Human Understanding*, 4.3.18.

[2] *best for man* The long note Rousseau appends here, on humans living in an intermediate stage between the "primitive state" and the "fatal enlightenment of civil man," has been included as Appendix 4 below (page 326).

As long as men were content with their rustic huts, as long as they limited themselves to stitching their clothes of skin with thorns or fish bones, to adorn themselves with feathers and shells, to painting their bodies various colors, to perfecting or embellishing their bows and arrows, to carving some fishing canoes or crude musical instruments with sharp stones, in a word, as long as they did not occupy themselves except with tasks which one man could do by himself and to arts which did not require the collaboration of many hands, they lived free, healthy, good, and happy lives, as much as their nature enabled them to do so, and they continued to enjoy among themselves the pleasures of independent interaction. But from the moment a man had need of another's help, from the time they noticed that it was useful for one man alone to have provisions for two, equality disappeared, property was introduced, work became necessary, and the vast forests were transformed into smiling fields, which had to be watered with men's sweat and in which slavery and misery were soon seen sprouting up and growing along with the harvest.

Metallurgy and agriculture were the two arts whose invention produced this great revolution. For the poet, what has civilized men and ruined the human race is gold and silver; but for the philosopher it is iron and wheat. Both of these were unknown to the savages of America, who for that reason have always remained as they are.[1] Other peoples even seem to have remained barbarous as long as they practiced one of these arts without the other. And perhaps one of the main reasons why Europe has been politically ordered, if not earlier, at least more continuously and better than the other parts of the world, is that it has been, at one and the same time, the most abundant in iron and the most fertile in wheat.

It is very difficult to conjecture how men came to know and use iron. For it is not believable that they came up on their own with the idea of extracting the raw material from the mine and giving it the necessary preparations for getting it to fuse, before they knew what the result of that would be. On the other hand, we can attribute this discovery even less to some accidental fire, since mines are built only in dry places devoid of trees and plants, so that it appears nature had taken precautions to conceal this fatal secret from us. So the only thing left is that an extraordinary event, involving some volcano ejecting metallic materials in molten form, would have given observers the idea of imitating this natural operation. Even so, we must assume they had ample courage and foresight to undertake such a difficult task and to see from a considerable distance the advantages they could derive from it, something hardly appropriate even to minds already more trained than theirs must have been.

As for agriculture, its principles were known long before its practice was established, and it is scarcely possible that men who were constantly busy taking their subsistence from trees and plants did not relatively soon get an idea of the ways nature uses to grow plants. But their industry probably did not turn in this direction until a great deal later, either because the trees, which, along with hunting and fishing, provided their food, did not need their care, or because they did not know how to use wheat or had no tools to cultivate it, or because they lacked the foresight to think of future needs, or finally because they had no way of preventing others from taking away the fruits of their labor. Once they became more industrious, it is plausible that they began using sharp stones and pointed sticks to cultivate some vegetables or roots around their huts long before they knew how to prepare wheat and had the tools necessary for large-scale cultivation, to say nothing of the fact that, in order to devote oneself to this occupation and seed the earth, one must first resolve to give up something in order to gain a great deal later on; a way of anticipating things far removed from the frame of mind of savage man who, as I have said, has considerable trouble thinking in the morning about his evening needs.

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[1] *Metallurgy … as they are* The poetic condemnation of gold and silver is quite likely drawn from Ovid's "fourth age" of "evil concupiscence" (Ovid's *Metamorphoses*, 1.89–124). But this poetic expression draws on larger cultural condemnations of gold and silver as found in two of Rousseau's other favorites: Plutarch (c. 50–c. 125 CE) and Plato. In his Life of Lycurgus, Plutarch points to these metals as being only meaningful for the "odious distinction of inequality" (Plutarch, *Lives*, Vol. 1, ed. Arthur Hugh Clough, New York: The Modern Library, 2001). For similar reasons, Plato's Athenian Stranger in the *Laws* bans gold and silver from the republic of Magnesia in order to banish "insolence and injustice, … jealousies and ill will" (679bc). The reference to metallurgy in the Americas echoes John Locke's *Essay Concerning Human Understanding*, in which Locke similarly observes a lack of metallurgical arts among the Native Americans (4.12.11).

The invention of other arts was thus necessary to force the human race to apply itself to the art of agriculture. As soon as men were needed to melt and forge iron, other men were needed to feed them. The more the number of workers multiplied, the fewer hands were used to provide their common subsistence, without there being fewer mouths to consume it. And since some of them had to have foodstuffs in exchange for their iron, others finally discovered the secret of using iron to increase the production of food. From that was born, on the one hand, plowing and agriculture and, on the other, the art of working with metals and multiplying their uses.

From the cultivation of the land necessarily followed its division, and from property, once it became recognized, the first rules of justice. For in order to give each man what is his, it is necessary that each man have something. Furthermore, men began to direct their gaze into the future and, since all of them saw that they had some goods to lose, none need fear retaliation against himself for the wrongs he might do to others. This origin is all the more natural since it is impossible to conceive of the idea of property emerging from anything other than manual labor. For it is not clear what a man can add over and above his work in order to appropriate things he has not made. It is labor alone that gives the farmer the right to the products of the earth which he has worked on and hence gives him one to the land, at least until the harvest, and thus from year to year. Since that constitutes a continuous possession, it is easily transformed into property. When the ancients, says Grotius, gave Ceres the epithet of legislatrix and the name Thesmophoria to a festival celebrated in her honor, they let it be known by this action that the division of the earth produced a new kind of right, that is, the right of property, different from the right which results from natural law.[1]

Once in this state, things could have remained equal, if the talents had been equal, and if, for instance, the use of iron and the consumption of foodstuffs had always remained in an exact balance. But the proportion, which nothing maintained, was soon broken. The strongest man did more of the work. The most skillful was better at turning his work to his own advantage. The most ingenious found ways to shorten his labor. The ploughman had a greater need for iron or the blacksmith for wheat, and, while both worked equally, one earned a great deal while the other had hardly enough to live. In this way, natural inequality imperceptibly spread, along with that of social arrangements, and the differences among men, developed by circumstances, become more perceptible and more permanent in their effects, and begin to have the same relative influence on the lot of individuals.

Once matters had reached this point, it is easy to imagine the rest. I will not pause to describe the successive inventions of the other arts, the progress of languages, the testing and use of talents, the inequality of fortunes, the use or abuse of riches, or all those details that follow these and which anyone can easily provide. I will limit myself merely to casting a glance at the human race situated in this new order of things.

There we are, then, with all our faculties developed, memory and imagination in play, *amour propre* involved, reason activated, and the mind almost at the limit of perfection. There we have all the natural qualities put into action, the rank and fate of each man established, not only on the basis of the quantity of goods and the power of helping or harming, but also on the basis of the mind, beauty, strength or skill, and merit or talents. Since these qualities were the only ones that could attract respect, it was soon necessary to have them or to affect them and, for one's own advantage, to show oneself as different from what one really was. Being and appearing became two entirely different things, and from this distinction emerged imposing pomp, deceitful cunning, and all their attendant vices. On the other hand, no matter how free and independent man had been previously, there he was, subjected by a multitude of new needs, to, as it were, all of nature and above all to his fellow men, to whom he has, in a sense, become a slave, even in becoming their master. If he is rich, he needs their services; if poor, he needs their help, and if of middling means, he is in no position to do without them. Thus, he must constantly seek to interest them in his lot and to make them discover a real or apparent profit for themselves in working for his. This makes him deceitful and artificial with some men, imperious and harsh with others, and requires him to abuse all those he needs, when he cannot make them afraid of him and does not find it in his interest to serve them usefully. Finally, devouring ambition, the keen desire to raise his relative fortune, less from a real need than to set oneself above others, inspires in all men a dark tendency to inflict injuries on each other, a secret jealousy all the more dangerous because, in order to strike its blow in greater safety, it often assumes a mask of goodwill: in a word, competition and rivalry on the one hand, and opposing interests on the other, and the constant hidden desire to make one's profit at the expense of others. All these evils are the first effects of property and the inseparable attendants of emerging inequality.

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[1] *When the ancients ... natural law* See Grotius, *Rights of War and Peace*, 2.2.2.

Before the signs that represent riches had been invented, wealth could scarcely have consisted of anything other than lands and livestock, the only real goods men could possess. But when inheritances had increased in number and extent to the point of covering the entire land, all adjoining one another, some could no longer grow except at the expense of others, and the people left over, whom weakness or indolence had prevented from acquiring an estate of their own, became poor without having lost anything, because, with everything changing around them, they alone had not changed and so were obliged to receive or to steal their subsistence from the hands of the rich. From that began to emerge, according to the different characters of one or the other, domination and servitude, or violence and plunder. The rich, for their part, had hardly learned about the pleasure of dominating than they soon disdained all others, and, making use of their old slaves to subject new ones, dreamed only of subjugating and enslaving their neighbors, like those ravenous wolves which, having once tasted human flesh, reject all other food and no longer want to devour anything but men.

In this way, when the most powerful or the most wretched used their strength or their needs to create a kind of right to the goods of others, equivalent, according to them, to the right of property, equality was fractured, and the most horrific disorder followed. Thus, the usurpations of the rich, the thievery of the poor, and everyone's frantic passions snuffing out natural pity, and the still-feeble voice of justice, made men avaricious, ambitious, and wicked. Between the right of the strongest and the right of the first occupant there arose a perpetual conflict which ended only in fights and murders.[1] The emerging society turned to the most horrific state of war. The human race, debased and desolate, unable to retrace its steps or to renounce the unfortunate acquisitions it had made, and working only for its shame by abusing the faculties which honor it, brought itself to the verge of its ruin.

> This strange disaster
> fills him with dismay. For all his wealth,
> he is a wretched man. He wants to flee
> from all his riches and now despises
> the very things he recently desired.[2]

It is impossible that men would not finally have reflected on such a miserable situation and the calamities devastating them. The rich, above all, must soon have felt how much a perpetual war worked to their disadvantage, where they alone paid all the costs and where, though the risk to life was common to all, they alone risked their property. Moreover, however they might have been able to color their usurpations, they knew well enough that they were based only on a precarious and abusive right and that, since they had been acquired merely by force, force could take them away from them without their having a reason to complain. Even those who had been enriched by their industry alone could hardly base their property on better claims. They could well say, "I am the one who built this wall. I earned this land through my labor." "Who laid out its boundaries for you?" one could reply to them, "And by virtue of what do you claim to be paid at our expense for labor which we did not impose on you? Do you not know that a multitude of your brothers are dying or suffering from a need for what you have in excess, and that you needed the express and unanimous consent of the human race in order to appropriate for yourself from the common subsistence everything over and above your own?" Lacking valid reasons to justify himself and sufficient strength to defend himself, easily crushing an individual, but himself crushed by gangs of bandits, alone against everyone and, because of mutual jealousies, unable to join with his equals against an enemy united by a common hope of pillage, the rich man, pressed by necessity, eventually thought of the best-conceived project that has ever entered the human mind: to use to his advantage the very forces of those who were attacking him, to turn his adversaries into his defenders, to inspire them with other maxims, and to give them other institutions that were as favorable to him as natural right was against him.

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[1] *fights and murders* [Rousseau's note] One could object against me that in such a disorder, instead of stubbornly butchering each other, men would have scattered, if there were no limits to their dispersion. But, first of all, these boundaries would have to have been at least the limits of the world, and if we think about the excessive population that results from the state of nature, we will see that the earth in this condition would not have taken long to become covered with men thereby compelled to remain together. Moreover, they would have dispersed if the evil had been quick and the change something which happened from one day to the next. But they were born under the yoke. They were habituated to bearing it when they felt its weight, and they were content to wait for the opportunity to shake it off. Finally, already accustomed to the thousands of conveniences which forced them to remain together, scattering was no longer as easy as in the first days, when no one had a need for anything except himself, and each of them decided what to do without waiting for another's consent.

[2] *This strange disaster … desired* From the Latin of Ovid, *Metamorphoses*, 11.127.

With this in mind, after showing his neighbors the horror of a situation which armed them all against the others, which made their possessions as onerous as their needs, and in which no one found his security either in poverty or in wealth, he easily came up with specious reasons to lead them to his goal. "Let us unite," he said to them, "to protect the weak from oppression, to restrain the ambitious, and to assure to each man the possession of what belongs to him. Let us set up rules of justice and peace to which everyone is obliged to conform, which do not exempt any one, and which in some way redress the whims of fortune, by subjecting the powerful and the weak equally to mutual obligations. In a word, instead of turning our forces against ourselves, let us collect them into one supreme power which governs us according to wise laws and which protects and defends all the members of the association, repels common enemies, and keeps us in eternal concord."

He required much less than the equivalent of this speech to convince crude and easily seduced men who, in addition, had too many things to unravel among themselves to be able to go without arbitrators and too much avarice and ambition to be able to do without masters for any length of time.[1] They all rushed headlong into their chains, believing they were ensuring their liberty. For although they had sufficient reason to sense the advantages of a political establishment, they did not have enough experience to foresee its dangers. Those most capable of anticipating the abuses were precisely the ones who counted on profiting from them, and even the wise ones saw that they had to resolve to sacrifice a part of their liberty in order to preserve the rest, as a wounded man has his arm cut off to save the rest of his body.

Such was, or must have been, the origin of society and of laws, which provided new shackles for the weak and new powers for the rich,[2] irretrievably destroyed natural liberty, secured forever the law of property and inequality, turned a clever usurpation into an irrevocable right, and for the profit of a few ambitious men henceforth subjected all the human race to labor, servitude, and misery. It is easy to see how the establishment of a single society made the establishment of all the others indispensable, and how, to stand up against united forces, it was necessary to unite in turn. Societies multiplied or extended themselves rapidly and soon covered the entire surface of the earth. It was no longer possible to find a single corner of the universe where one could free oneself from the yoke and duck out from under the often badly wielded sword which each man saw permanently suspended above his head. Since civil law thus became the common rule for citizens, the law of nature no longer had a place, except among the various societies, where, under the name of the <law of> nations, it was tempered with a few tacit conventions to make commerce possible and to take the place of natural fellow-feeling, which, by losing almost all the power between one society and another which it used to have between man and man, no longer is found anywhere, other than in some great cosmopolitan souls, who cross the imaginary barriers separating peoples and, following the example of the Sovereign Being who created them, embrace the entire human race in their benevolence.

Since the political bodies thus remained in a state of nature among themselves, they soon felt the disadvantages which had forced individuals to leave it, and this condition became even more deadly among these large bodies than it had been previously among the individuals who comprised them. From that emerged national wars, battles, murders, reprisals that make nature tremble and shock reason, and all those horrible prejudices that rank the honor of shedding human blood among the virtues. The most decent people learned to count among their duties that of butchering their fellow men. Finally, men were seen massacring each other by the thousands without knowing why. And more murders were committed in a single day of fighting and more horrors in the capture of a single town than had been committed in the state of nature during entire centuries over the whole face of the earth. Such are the first effects one glimpses of the division of the human race into different societies. Let us go back to their founding.

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[1] *With this in mind ... length of time* The poor's acquiescence to these new rules echoes Saint Augustine's parallel passage in *City of God*, in which "the society of mortals is generally divided against itself.... The conquered part surrenders to the victorious part, preferring any sort of peace and safety at all to domination, of course, and even to liberty" (18.2).

[2] *new powers for the rich* [Rousseau's note] Marshal de V*** [Louis-Hector, Duke of Villars (1653–1734)] used to tell the story that in one of his campaigns, when the excessive corrupt dealing of one of the contractors for provisions made the army suffer and grumble, he scolded him sharply and threatened to have him hanged. "This threat does not concern me," the scoundrel brazenly answered him, "and I am very pleased to tell you that they don't hang a man who has at his disposal a hundred thousand crowns." "I don't know how that came about," the marshal added naively, "but in fact he was not hanged, although he deserved it a hundred times over."

I know that several people have provided other origins for political societies, such as conquests by the most powerful or the union of the weak.[1] The choice among these causes is irrelevant to what I want to establish. However, the one I have just laid out seems to me the most natural for the following reasons: (1) Since in the first case the right of conquest is not a right, it could not have been the basis for any other right. The conqueror and the vanquished people constantly remain in a state of mutual warfare, unless the nation regains its full liberty and voluntarily chooses its conqueror as its leader. Up to that point, whatever capitulations have been made, since they were founded on nothing but violence and consequently are rendered null by that very fact, there cannot be with this hypothesis either a genuine society or a body politic or any law other than the law of the strongest. (2) In the second case, these words *strong* and *weak* are ambiguous. In the interval occurring between the establishment of the right of property or of the first occupant and that of political governments, the meaning of these terms is better rendered by the words *rich* and *poor*, because, in fact, before there were laws, a man had no way to subjugate his equals other than by attacking their goods or by giving them a part of his own. (3) Since the poor had nothing to lose but their liberty, it would have been very foolish of them to give away voluntarily the only benefit remaining to them without gaining anything in return. By contrast, since the rich were, so to speak, sensitive about all aspects of their goods, it was much easier to harm them, and thus they would take more precautions to protect themselves. Finally, it is reasonable to believe that something has been invented by those to whom it is useful rather than by those it harms.

The newly emerging government did not have a constant and regular form. The lack of philosophy and experience enabled men to see only the present inconveniences, and they did not think of remedying others except as they arose. Despite all the work of the wisest lawgivers, the political state always remained imperfect, because it was almost a work of chance and because, since it began badly, time revealed its faults and suggested remedies, but could never repair the defects in the constitution. People constantly patched it up, whereas what was required was to begin by clearing the air and rejecting all the old materials, as Lycurgus did at Sparta, in order to raise a good structure later.[2] At first, society consisted only of some general conventions that all the individuals committed themselves to observe and the community pledged itself to guarantee for each of them. Experience necessarily revealed how weak such a constitution was and how easy it was for lawbreakers to avoid conviction or punishment for wrongdoing where the public had to act as sole witness and judge. The law must have been evaded in a thousand ways, and the inconveniences and disorders must have continually multiplied, in order for people eventually to think of conferring on individuals the dangerous trust of public authority, and for them to commit to magistrates the task of making sure the decisions of the people were observed. For to say that leaders were chosen before the confederation was created—and that ministers of the laws existed before the laws themselves—is an assumption that does not warrant serious rebuttal.

It would be no more reasonable to believe that people were at first thrown into the arms of an absolute master, unconditionally and irrevocably, and that the first way of providing communal security that proud and untamed men might have imagined was to hurl themselves into slavery. In fact, why did they give themselves superiors, unless it was to defend them against oppression and to protect their goods, their liberties, and their lives, which are, so to speak, the constituent elements of their being? Now, since in the relationships between man and man the worst that could happen to one was to see himself at the mercy of the other, would it not have been against good sense to begin by handing over to a leader the only things for whose preservation they required his help? What equivalent could he have offered them for conceding such a fine right? If he had dared to demand it under the pretext of defending them, would he not have immediately received the response of the old story: "What more will the enemy do to us?" It is thus indisputable, and the fundamental maxim of all political right, that the people gave themselves leaders to defend their liberty and not to enslave them. "If we have a prince," said Pliny to Trajan, "it is so that he may protect us from having a master."[1]

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[1] *I know that several ... the weak* Plato attributes this view to the sophist Callicles, in his *Gorgias*: "I believe that the people who institute our laws are the weak and the many" (483b).

[2] *what was required ... later* Rousseau refers here to the radical constitutional reforms Lycurgus introduced to Sparta, as outlined in Plutarch, which included the elimination of precious metals, redistribution of property and wealth, and the banishment of luxury.

Political writers produce the same sophistries about the love of liberty that philosophers have produced about the state of nature. On the basis of things they see, they judge very different matters which they have not seen, and they attribute to men a natural inclination to servitude because of the patience with which the men before their eyes endure theirs, without thinking that liberty is like innocence and virtue, whose value one does not feel except to the extent that one enjoys them oneself, and loses the taste for them as soon as they are lost. "I know the delights of your country," said Brasidas to a satrap who was comparing the life of Sparta with that of Persepolis, "but you cannot know the pleasures of mine."[2]

Just as an untamed stallion bristles his mane, paws the earth with his hoof, and struggles furiously at the very approach of a bit, while a trained horse patiently endures the whip and the spur, so barbarous man does not bend his head under the yoke which civilized man carries without a murmur, and he prefers the most stormy liberty to tranquil subjugation. Thus, we must not judge the natural dispositions of man for or against servitude by the degradation of enslaved people, but by the amazing things all free people have done to protect themselves against oppression. I know that the former do nothing but boast all the time about the peace and quiet they enjoy in their chains, and that *they call the most miserable slavery peace*,[3] but when I see the latter sacrificing pleasures, rest, riches, power, and life itself to the preservation of the only good so disdained by those who have lost it, when I see animals born free and abhorring captivity smashing their heads against the bars of their prison, when I see multitudes of totally naked savages scorning European pleasures and enduring hunger, fire, sword, and death simply to preserve their independence, I feel that it is not appropriate for slaves to reason about freedom.

As for paternal authority, from which several people have derived absolute government and all of society, it is enough, without going back over the proofs to the contrary by Locke and Sidney, to observe that nothing in the world is further removed from the ferocious spirit of despotism than the gentleness of this authority, which considers more the advantage of the one who obeys than the benefit to the one who commands.[4] By the law of nature the father is the master of the child only for as long as the father's help is necessary to him, and once beyond this term, they become equals. At that point the son, perfectly independent of his father, owes him only respect and not obedience. For gratitude is clearly a duty to be done, but not a right that can be demanded. Instead of saying that civil society stems from paternal power, we should say the reverse, that this power draws its main strength from society: an individual was not recognized as the father of several children until they remained gathered around him. The father's goods, of which he is truly the master, are the bonds which keep his children dependent on him, and he has the power to give them as a portion of his estate only as much as they have deserved from him by constant deference to his wishes. Now the subjects, far from having a similar favor to look forward to from their despot, given that they belong to him personally, both they and all they possess, or at least that is what he claims, are reduced to receiving as a favor what he leaves them of their own goods. He carries out justice when he robs them and shows them mercy when he lets them live.

Continuing to examine in this manner the facts in relation to Right, we would find no more solidity than truth in the voluntary establishment of a tyranny. It would be difficult to show the validity of a contract which would be binding on only one of the parties, in which everything would be placed on one side and nothing on the other, and which would turn out to the disadvantage only of the man who commits himself to it. Even today this odious system is very far from being that of wise and good monarchs, and above all of the kings of France, as we can see in various parts of their edicts and especially in the following passage from a famous edict published in 1667, in the name and by the orders of Louis XIV: "Let no one say, therefore, that the sovereign is not subject to the laws of his state, since the contrary proposition is a truth of the law of nations, which flattery has sometimes attacked, but which good princes have always defended as a tutelary divinity of their states. How much more legitimate is it to say with the wise Plato that the perfect happiness of a kingdom is that a prince is obeyed by his subjects, that the prince obeys the law, and that the law is right and always aims at the public good." I shall not stop to explore whether, since liberty is the most noble of man's faculties, it is not degrading his nature, putting him on the level of beasts enslaved by instinct, and offending even the Author of his being to renounce unreservedly the most precious of all His gifts, and to subject himself to committing all the crimes which He has forbidden us, in order to please a ferocious or insane master, and whether this Sublime Craftsman should be more angry to see his most beautiful work destroyed than to see him dishonored. <I will overlook, if you wish, the authority of Barbeyrac, who states clearly, following Locke, that no one can sell his liberty to the extent of submitting himself to an arbitrary power which treats him as it pleases: "For," he adds, "that would be selling his own life of which he not the master."[1]> I will only ask by what right those who have not been afraid to debase themselves to this point could have subjected their posterity to the same ignominy, and renounced on its behalf goods which do not depend on their generosity and without which life itself is onerous to all those worthy of it?

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[1] *the old story ... a master* Pliny the Younger, *Panegyric to Trajan*, 55.7.

[2] *I know the delights ... of mine* Brasidas was a Spartan general during the Persian Wars. As Gourevitch has observed, Herodotus attributes this quotation to Sperchias and Bulis (*Histories*, 7.133–36).

[3] *they call ... peace* From the Latin of Tacitus, *Histories*, 1, IV, chapter XVII.

[4] *As for paternal authority ... commands* See John Locke, *Second Treatise*, chapter 6, and Algernon Sidney, *Discourse Concerning Government*, 1.12–14, 2.4.

Pufendorf says that just as one transfers one's possessions to someone else by conventions and contracts, so one can also divest oneself of one's liberty in favor of someone else.[2] That, it seems to me, is extremely poor reasoning. For, first of all, the goods that I alienate become something totally foreign to me, and their abuse leaves me indifferent. But it is important to me that someone does not abuse my liberty, and I cannot, without making myself guilty of the evil that I will be forced to do, risk becoming the instrument of crime. Furthermore, given that the right of property is only a convention and a human institution, any man can dispose of what he possesses as he wishes. But it is not the same with the essential gifts of nature, such as life and freedom. Each man is permitted to enjoy these, and it is at least doubtful that he has the right to strip himself of them. In giving up one, he degrades his being; in giving up the other, he destroys his being as much as he can. And since no temporal good can compensate for one or the other, it would offend nature and reason at the same time to renounce them no matter what the price. But even if a man could alienate his freedom just as he can his possessions, it would be very different for children, who enjoy their father's goods only by transmission of his right; whereas liberty is a gift which they hold from nature in their capacity as human beings, and so their parents had no right to deprive them of it. Hence, just as it was necessary to treat nature with violence in order to establish slavery, so it was necessary to change nature to perpetuate this right. And the jurists who have solemnly pronounced that the child of a slave would be born a slave have decided in different terms that a human being would not be born a human being.

Thus, it appears certain to me not only that governments did not begin through arbitrary power, which is only their corruption and extreme limit and which leads them back finally to the single law of the strongest, for which they were initially the remedy, but also that, even if this is the way they did begin, such power, being by nature illegitimate, could not have served as the foundation for the rights of society and thus for institutional inequality.

Without entering today into investigations which still remain to be made on the nature of the fundamental pact of all governments, I am following common opinion and limiting myself to considering here the establishment of the body politic as a genuine contract between the people and the leaders it chooses for itself, a contract through which the two parties obligate themselves to observe laws that are stipulated in it and that form the bonds of their union. Since the people have, so far as social relations are concerned, united all their wills into a single will, all the articles on which this will is explicitly clear become as many fundamental laws which obligate all members of the state without exception. One of these laws regulates the selection and power of the magistrates charged with supervising the execution of the others. This power extends to everything that can maintain the constitution, without going to the point of changing it. To this are added honors that make the laws and their ministers worthy of respect, and for the latter some personal prerogatives which compensate them for the tiresome work a good administration demands. The magistrate, for his part, commits himself to use the power entrusted to him only according to the intention of the constituents, in order to keep each man in the peaceful enjoyment of what belongs to him and to prefer at all times the public utility to his own interest.

Before experience had demonstrated or knowledge of the human heart had enabled men to anticipate the inevitable abuses of such a constitution, it must have appeared all the better because those who were charged with making sure it was preserved were themselves the most interested in doing so. For, given that the magistracy and its rights were established only on fundamental laws, as soon as the laws were destroyed, the magistrates would cease to be legitimate, and the people would no longer be bound to obey them. Since it was not the magistrate but the law that constituted the essence of the state, each man would by right return to his natural freedom.

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[1] *I will overlook … the master* Jean Barbeyrac (1674–1745) was a renowned translator of Grotius and Pufendorf and an influential natural law theorist in his own right.

[2] *Pufendorf says … someone else* See Pufendorf, *Law of Nature and Nations*, 7.3.1.

The slightest attentive reflection would confirm this with new reasons, and by the nature of the contract one would see that it could not be irrevocable. For if there were no superior power which could guarantee the fidelity of the contracting parties or force them to fulfill their reciprocal commitments, the parties would remain sole judges in their own cause, and each of them would always have the right to renounce the contract, as soon as it found that the other was contravening the conditions, or those conditions ceased to suit it. It appears that the right to abdicate could be founded on this principle. Now, to consider, as we are doing, only the human institution: if the magistrate who has all the power in his hands and who appropriates all the advantages of the contract for himself, nevertheless had the right to renounce his authority, then there is an even stronger reason why the people, who pay for all the faults of their leaders, should have a right to renounce their dependence. But the horrific dissentions and the innumerable disorders which this dangerous power would necessarily bring with it show more than anything else how much human governments needed a more substantial basis than reason alone, and how much it was necessary to the public peace that Divine Will intervened to give sovereign authority a sacred and inviolable character which removes from the subjects the fatal right of disposing of it. If religion had achieved only this benefit for men, that would be enough to require them to cherish and adopt it, even with its abuses, because it spares even more blood than fanaticism causes to run. But let us follow the thread of our hypothesis.

The various forms of governments stem from the greater or lesser differences that existed among the individuals at the moment of their institution. Was one man eminent in power, virtue, riches, or esteem? He was elected the only magistrate, and the state became a monarchy. If several men, more or less equal among themselves, prevailed over all the others, they were elected as a group, and an aristocracy was born. Those whose fortune or talents were less disproportionate and who were the least removed from the state of nature kept the supreme administration communal and formed a democracy. Time confirmed which of these forms was the most advantageous for men. Some remained subjected solely to the laws; others soon obeyed masters. Citizens wanted to keep their freedom; subjects thought of nothing but taking away that of their neighbors, since they could not bear that others were enjoying a benefit that they no longer enjoyed themselves. In a word, on one side were riches and conquests, on the other happiness and virtue.

In these various governments, all the magistrates were at first elected, and if wealth did not win out, preference was given to merit, which confers a natural pre-eminence, and to age, which provides experience in business and composure in deliberations. The Hebrew elders, the Gerontes in Sparta, the Senate in Rome, and even the etymology of our word *Seigneur* show how much old age was respected in earlier times. The more the elections fell to men of advanced age, the more frequent these became, and the more problems made themselves felt. Intrigues were introduced, factions formed, parties grew embittered, civil wars broke out, finally the blood of citizens was sacrificed for the alleged happiness of the state, and people were on the verge of falling back into the anarchy of earlier times. The ambition of the leading men took advantage of these circumstances in order to perpetuate within their families their official positions. The people, already accustomed to dependence, repose, and the conveniences of life, and already beyond the state where they could break their chains, agreed to allow their servitude to increase in order to consolidate their tranquility. That is how the leaders became hereditary and grew accustomed to looking on their magistrate's office as a family possession, to considering themselves the proprietors of the state, in which at first they had been only officials, to call their fellow citizens their slaves, to counting them like livestock among the many things that belonged to them, and to calling themselves the equals of the gods and kings of kings.

If we follow the progress of inequality in these different revolutions, we will find that the establishment of law and the right of property was its first stage, the institution of the magistracy was the second, and the third and last was the transformation of legitimate power into arbitrary power, so that the condition of rich and poor was authorized by the first age, that of the powerful and the weak by the second, and that of master and slave by the third, which is the final degree of inequality and the limit to which all the others eventually lead, until new revolutions dissolve the government entirely or move it closer to a legitimate institution.

To understand the necessity of this progress we must consider, not so much the motives for the establishment of the body politic, as the form it takes in execution and the disadvantages it brings with it. For the vices that make social institutions necessary are the same that make their abuse inevitable. And since, with the sole exception of Sparta, where the law watched principally over the education of the children and where Lycurgus established moral traditions that almost did away with the need to add laws, laws in general are not as strong as the passions and keep men in check without changing them; it would be easy to prove that any government which, without being corrupted or altered, always worked exactly according to the purpose for which it had been established would have been instituted unnecessarily, and that a country where no one evaded the laws and abused the magistracy would need neither magistrates nor laws.

Political distinctions necessarily lead to civil distinctions. The growing inequality between the people and its leaders soon makes itself felt among individuals, and is modified in them in a thousand ways according to passions, talents, and events. The magistrate could not usurp illegitimate power without creating some hangers-on to whom he is forced to cede part of it. Moreover, since citizens do not let themselves be oppressed except to the extent that they are led by blind ambition, and since they look more below than above them, domination becomes dearer to them than independence, and they consent to carry chains in order to be able to give them out in their turn. It is very difficult to reduce to obedience someone who does not seek to command, and the most adroit politician would not succeed in subjecting men who wished only to be free. But inequality spreads without difficulty among ambitious and cowardly souls, always ready to run the risks of fortune and to dominate or serve almost indifferently, according to whether it is favorable or unfavorable to them. That is why there had to come a time when the eyes of the people were so spellbound that their leaders only had to say to the most insignificant of men, "Be great, you and all your people," and immediately he appeared great to everyone, as well as in his own eyes, and his descendants were raised even more, in proportion to their distance from him. The more remote and uncertain the cause, the more the effect grew. The more loafers one could count in a family, the more illustrious it became.

If this were here the place to go into details, I would easily explain how inequality in credit and authority becomes inevitable among individuals[1] <even without the government getting involved> as soon as they are united in the same society and thus are forced to make comparisons among themselves and to take into account the differences they find in the continual use they must make of one another. These differences are of several kinds but, in general, since riches, nobility or rank, power, and personal merit are the principal distinctions by which people are measured in society, I would prove that the cooperation or the conflict of these various forces is the most certain indication of whether a state is well or badly constituted. I would show that among these four types of inequality, since personal qualities are the origin of all the others, wealth is the last to which they are finally reduced, because, given that it is the most immediately useful for one's well being and the easiest to pass on, men readily make use of it to buy all the rest. This observation enables us to judge with sufficient precision the extent to which each people is removed from its original institution and how far it has gone along the road to the utmost stage of corruption. I would point out how much this universal desire for reputation, honors, and preferment, which devours us all, trains and compares talents and strengths, how much it excites and multiplies the passions, and, by turning all men into competitors, rivals, or rather enemies, and making so many contestants run the same course, how much it causes setbacks, successes, and catastrophes of all kinds every day. I would show that it is to this passionate desire to have oneself talked about, to this frantic urge to distinguish ourselves, which keeps us almost always outside ourselves, that we owe what is best and worst among men, our virtues and our vices, our sciences and our mistakes, our conquerors and our philosophers, that is, a multitude of bad things compared to a small number of good ones. Finally, I would prove that if one sees a handful of powerful and rich men at the peak of their greatness and fortune, while the crowd grovels in obscurity and misery, it is because the former value the things they enjoy only to the extent that the latter are deprived of them, and because, without changing their condition, they would cease to be happy if the people ceased to be wretched.

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[1] *inevitable among individuals* [Rousseau's note] Distributive justice would still be against this strict equality in the state of nature, even if it were practicable in civil society. And since all the members of the state owe it their services in proportion to their talents and their strengths, the citizens, in their turn, should be distinguished and favored in proportion to their services. It is in this sense that we must understand a passage of Isocrates, where he praises the first Athenians for having well understood how to distinguish the more advantageous of the two sorts of equality: one which consists of dividing the same advantages indifferently among all the citizens, and the other of distributing them according to individual merit. These skillful politicians, the orator adds, banned that unjust equality which establishes no difference between good and bad men, and cleaved themselves inviolably to the one that rewards and punishes each according to his merit. But, first of all, there has never existed a society, no matter what degree of corruption it might have reached, in which people make no distinction between good and bad men. And in the matter of morals, where the law cannot establish a measurement sufficiently precise to serve as a rule for the magistrate, it very wisely—in order not to leave the fate or the rank of the citizens to the discretion of the magistrate—forbids him from judging persons and allows him to judge nothing but actions. There are no morals so pure that they can endure censors, other than those of the ancient Romans, and similar tribunals would soon have upset everything among us. It is up to public esteem to establish the difference between bad and good people; the magistrate judges only matters of explicit law. But the people are the true judge of morality, a judge of integrity and even enlightenment in this matter, one who is sometimes misled but never corrupted. The ranks of the citizens thus ought to be regulated, not on the basis of their personal merit, which would allow the magistrate a way of making an almost arbitrary application of the law, but on the basis of the real services they render the state, which are amenable to a more exact assessment.

But these details alone would be material for a considerable work in which one weighed the advantages and the disadvantages of all governments relative to the rights of the state of nature, and where one would reveal all the different faces behind which inequality has shown itself up to the present time and will be able to show itself in future ages, depending on the nature of those governments and on the revolutions which time will necessarily bring about in them. We would see the multitude oppressed from within as a result of the very precautions that it had taken against what threatened it from outside. We would see oppression constantly growing without the oppressed ever being able to know what limits it would have or what legitimate means they had left to stop it. We would see the rights of citizens and national liberties gradually extinguished, and the objections of the weak treated as seditious murmurs. We would see politics restrict the honor of defending the common cause to a mercenary section of the people. From that we would see emerge the need for taxes, the discouraged farmer leaving his field, even during peacetime, and abandoning the plough to gird on a sword. We would see deadly and bizarre rules arise about points of honor. We would see the defenders of the homeland sooner or later become its enemies, constantly holding a raised dagger over their fellow citizens, and there would come a time when we would hear them saying to the oppressor of their country: "If you order me to thrust a sword into my brother's chest or into my father's throat or into the womb of my pregnant wife, I will do all that, even though my right hand is unwilling."[1]

From the extreme inequality in conditions and fortunes, from the diversity of passions and talents, from useless arts, from pernicious arts, and from frivolous sciences would emerge mobs of prejudices, equally contrary to reason, happiness, and virtue. We would see the leaders fomenting everything that could weaken gathered men by disuniting them, everything that could give society an air of apparent harmony while sowing in it seeds of real division, everything that can inspire in the different orders a mutual distrust and hatred, by setting their rights and interests against each other and thus reinforcing the power that contains them all.

It is from the core of this disorder and of these revolutions that despotism, lifting by degrees its hideous head and devouring everything it had perceived as good and healthy in all sections of the state, would finally succeed in trampling over the laws and the people, and establishing itself on the ruins of the republic. The times preceding this last change would be periods of troubles and calamities, but by the end everything would be swallowed up by the monster, and peoples would no longer have leaders and laws, but only tyrants. From this instant, it would also cease to be a question of morals and virtue, for wherever despotism reigns, *in which there is no hope from honesty*,[2] it suffers no other master. As soon as it speaks, one can consult neither probity nor duty, and the blindest obedience is the only virtue that remains for slaves.

This is the final stage of inequality and the extreme point that closes the circle and touches the point where we began. Here all individuals become equal again because they are nothing, and since the subjects no longer have any law other than the will of the master, and the master has no rule other than his passions, the notions of good and the principles of justice vanish once more. Here everything is reduced to the single law of the strongest and, as a result, to a new state of nature, different from the one with which we began, for the first one was the state of nature in its purity, and this last one is the fruit of an excess of corruption. In other respects, there is so little difference between these two states and the contract with the government is so dissolved by despotism, that the despot is master only as long as he is the strongest, and as soon as he can be expelled, he has no basis for protesting the violence. The uprising that ends by strangling or dethroning a sultan is an act as lawful as those by which, the previous day, he disposed of the lives and the goods of his subjects. Force alone preserved him, and force alone overturns him. Thus, everything occurs according to natural order, and whatever the outcome of these short and frequent revolutions may be, no one can complain of injustice from anyone, but only of his own imprudence or misfortune.

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[1] *If you order me … is unwilling* From the Latin of Lucan, *Pharsalia*, 1.376–78.

[2] *in which … honesty* From the Latin of Tacitus, *Annals*, 5.3.

In this way, by discovering and following the forgotten and lost routes that must have led man from the natural state to the civil state, and by re-establishing, along with the intermediate stages which I have just noted, those which the pressures of time have made me suppress or which my imagination has not suggested to me, every attentive reader cannot but be struck by the immense gap which separates these two conditions. In this slow succession of things he will see the solution to an infinite number of problems of morality and politics that philosophers cannot resolve. He will appreciate that since the human race of one age is not the human race of another age, the reason Diogenes did not find a man[1] is that he was searching among his contemporaries for a man from an age that no longer existed. Cato, he will say, perished with Rome and liberty, because he was out of place in his century, and the greatest of men merely astonished the world he would have governed five hundred years earlier. In a word, he will explain how the human soul and passions, by imperceptibly altering, change their nature, as it were; why our needs and our pleasures change their objects over a long period of time; and why, as the original man disappears by degrees, society no longer offers to the eyes of a wise man anything other than an assembly of artificial men and factitious passions, which are the work of all these new relationships and have no true basis in nature. What reflection teaches us in this matter, observation confirms perfectly: savage man and civilized man are so different in the depths of their hearts and in their inclinations that what constitutes supreme happiness for one would reduce the other to despair. The former breathes nothing but repose and liberty; he wishes only to live and remain idle. Even the *ataraxia* of the Stoic[2] does not come close to his profound indifference for all other objects. By contrast, the always-active citizen sweats, gets agitated, and frets all the time about finding even more laborious occupations. He works himself to death; he even runs towards it in order to put himself in a position to live, or he renounces his life to acquire immortality. He courts the great, whom he hates, and the wealthy, whom he despises. He spares nothing to obtain the honor of serving them. He boasts proudly of his low position and of their protection and, proud of his slavery, speaks with disdain of those who do not have the honor of sharing it. What a spectacle the wearisome and envied labors of a European minister would be for a native of the Caribbean! How many cruel deaths would this indolent savage not prefer to the horror of such a life, which often is not even mitigated by the pleasure of doing good? But to understand the purpose of so many cares, the words *power* and *reputation* would have to have a meaning in his mind. He would have to learn that there is a type of man who counts the assessment of the rest of the universe as something and who knows how to be happy and content with himself on the basis of what other people say rather than on his own testimony. Such is, in fact, the real cause of all these differences: the savage lives in himself; social man, always outside himself, cannot live except in the opinion of others, and it is, so to speak, only from their judgment that he derives the feeling of his own existence. It is not part of my subject to show how from such a disposition emerges such a great indifference to good and evil, together with such pretty discourses on morality; how, with everything reducing itself to appearances, it all becomes artificial and for show—honor, friendship, virtue and often even vices, which we finally discover the secret of boasting about; how, in a word, by always asking others what we are and never daring to ask ourselves that question, in the middle of so much philosophy, humanity, politeness, and sublime maxims, we have only a deceptive and frivolous exterior, honor without virtue, reason without wisdom, and pleasure without happiness. It is sufficient for me to have proved that this is not man's original state and that it is only the spirit of society and the inequality it engenders that change and transform in this way all our natural inclinations.

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[1] *the reason Diogenes … man* The philosopher Diogenes (d. 320 BCE) was said to have undertaken a long search in Athens for a single "honest man."

[2] *the ataraxia of the Stoic* Rousseau suggests that Roman Stoics advocated *ataraxia*, a disposition of the soul in which it is largely unperturbed by external stimuli.

I have tried to set out the origin and progress of inequality, the establishment and the abuse of political societies, as much as these matters can be deduced from the nature of man by the light of reason alone and independently of sacred dogmas that give to sovereign authority the sanction of divine right. It follows from this account that inequality, almost non-existent in a state of nature, derives its strength and growth from the development of our faculties and from the progress of the human mind, and finally becomes stable and legitimate through the establishment of property and laws. It follows further that moral inequality, authorized only by positive right, is contrary to natural right, whenever it is not in exact proportion with physical inequality, a distinction which demonstrates sufficiently what we should think in this regard of the type of inequality which prevails among all civilized peoples, since it is manifestly against the law of nature, no matter how that is defined, for a child to give orders to an old man, for an imbecile to lead a wise man, and for a handful of men to stuff themselves with superfluities while the starving multitude lacks necessities.

Appendix 1: Note 9 [On Good and Evil in Human Life]

A famous author,[1] weighing the good and bad things of human life and comparing the two amounts, has found that the latter far surpassed the former and that, all things considered, life was a rather poor gift for man. His conclusion does not surprise me: he drew all his arguments from the constitution of civil man. If he had gone back to natural man, we can imagine he would have come up with very different results: he would have noticed that man has hardly any ills other than those he has given himself and that nature would have been exonerated. It is not without effort that we have succeeded in making ourselves so unhappy. When, on the one hand, we consider the immense labors of men, so many sciences pursued, so many arts invented, so many forces used, chasms filled in, mountains flattened, rocks smashed, rivers made navigable, lands opened up, lakes excavated, marshes drained, enormous buildings erected on the earth, the sea covered with ships and sailors, and then, on the other, we investigate with a little meditation the true advantages which have resulted from all that for the happiness of the human species, we cannot fail to be struck by the astonishing disproportion that reigns in these matters and to deplore the blindness of man, which, to feed his insane pride and some kind of vain self-admiration, makes him run passionately after all the miseries to which he is susceptible, miseries that beneficent nature had taken care to keep from him.

Men are bad. Sad and continual experience removes the need for proof. However, man is naturally good. I believe I have demonstrated that. So what is it that could have corrupted him to this point, if not the changes which have arisen in his constitution, the progress he has made, and the knowledge he has acquired? Let us admire human society as much as we wish; it will be no less true that it necessarily leads men to hate each other to the extent their interests clash, to carry out apparently mutual services and, in fact, to do to each other all the bad things imaginable. What can we think of dealings where every individual's reason dictates to him maxims directly contrary to those which public reason preaches to the social body, and where each man profits from the misfortunes of others? There is perhaps not a single well-off man whose death his greedy heirs and often his own children do not secretly hope for, not a single ship at sea whose wreck would not be good news for some merchant, not a single business that a dishonest debtor would not desire to see burn down along with all the papers it contains, not a single people which does not rejoice at the disasters of its neighbors. In this way do we benefit from the harm done to our fellow men, and one person's loss almost always makes someone else prosperous. But what is still more dangerous is that a great many individuals expect and hope for public disasters. Some want sicknesses, others death, others war, others famine. I have seen despicable men weeping with grief at the prospect of a year with bountiful harvests, and the great and fatal fire of London,[2] which cost the lives or the goods of so many unfortunate people, perhaps made a fortune for more than ten thousand individuals. I know that Montaigne criticizes the Athenian Demades[3] for having had a worker punished who, by selling coffins for a very high price, earned a great deal from the deaths of citizens.[4] But since the reason Montaigne offers is that it would be necessary to punish everyone, his argument clearly confirms my own. Let us therefore look through our frivolous demonstrations of benevolence to what happens in the depths of our hearts, and let us reflect on what the condition of things must be where all men are forced to caress and to destroy each other, and where they are born enemies by duty and frauds by interest. If, in response, people tell me that society is so constituted that each man gains by serving others, I will reply that that would be all very well if he did not gain even more by injuring them. There is no legitimate profit which is not exceeded by what one can get illegitimately, and the wrong done to one's neighbor is always more lucrative than doing him favors. So it is merely a matter of finding ways to make sure of one's impunity, and for that the powerful use all their strength and the weak all their cunning.

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[1] *A famous author* Likely Pierre-Louis de Maupertuis (1698–1759) in his *Essai de philosophie morale*.

[2] *great and fatal fire of London* In September of 1666, London was devastated by a fire that destroyed much of the city.

[3] *Demades* A fourth-century BCE Athenian orator of dubious reputation.

[4] *a worker punished … citizens* Rousseau is citing Montaigne, *Essays*, 1.22.

When savage man has eaten, he is at peace with all nature and the friend of all his fellows. What if there is sometimes a quarrel over a meal? He never comes to blows over it without having previously compared the difficulty of prevailing with that of finding his subsistence elsewhere, and since his pride is not involved in the fight, it ends with a few punches. The winner eats, the loser goes to seek his fortune, and everything is peaceful. But with man in society, such quarrels are very different matters. It is primarily a matter of providing what is necessary and then what is superfluous; then come the delicacies, then immense riches, then subjects, then slaves. He does not have a moment's rest. What is most remarkable is that the less natural and urgent his needs, the more his passions increase, and, what is worse, so does the power to satisfy them. As a result, after long periods of prosperity, after gobbling up many treasures and ruining many men, my hero will end up slitting every throat until he is the sole master of the universe. Such, in summary, is the moral picture, if not of human life, at least of the secret pretensions in the heart of every civilized man.

Compare without prejudice the state of civil man with that of savage man, and, setting aside civil man's malice, his needs, and his miseries, investigate, if you can, how many new doors he has opened to pain and death. If you consider the mental afflictions which consume us, the violent passions which exhaust and depress us, the excessive toil with which the poor are overburdened, the even more dangerous soft life to which the rich abandon themselves, things which make the former die from their needs and the latter from their excesses; if you think of the grotesque mixtures of foods, their pernicious seasonings, the corrupt provisions, the counterfeit drugs, the skullduggery of those who sell them, the mistakes of those who administer them, the poisoned containers in which they are prepared; if you consider the epidemic illnesses produced by the bad air among the hordes of people crowded together and the sicknesses brought about by the delicacy of our way of life, the moving back and forth from the interior of our houses into the open air, the use of clothing put on or removed with too little precaution, and all the cares which our excessive sensuality has turned into essential habits, whose neglect or lack then costs us our life or health; if you take into account the fires and earthquakes that engulf or overturn entire cities and kill off their inhabitants by the thousands—in short, if you add up the dangers which all these causes are continually gathering above our heads, you will sense how dearly nature makes us pay for the contempt we have shown for her lessons.

I will not repeat here what I have said elsewhere about war, but I wish that informed people wanted or dared for once to provide the public with details of the horrors committed in armies by contractors for provisions and for hospitals. We would see that their tactics, which are not very secret and thanks to which the most brilliant armies melt away into less than nothing, cause more soldiers to die than are cut down by enemy swords. It is no less astonishing to calculate the number of men the sea swallows every year, whether by hunger, or scurvy, or pirates, or fire, or shipwreck. It is clear that we must also credit established property, and therefore society, with the assassinations, poisonings, highway robberies, and even the punishments for these crimes. These punishments are necessary to prevent greater evils, but for the murder of one man, they cost the lives of two or more and thus, in effect, double the loss for the human species. How many shameful ways are there to prevent the birth of human beings and to cheat nature? It can be done by those brutal and depraved tastes that insult its most charming work, tastes which neither savages nor animals ever know and which emerge in civilized countries only from a corrupt imagination; or by those secret abortions, worthy fruits of debauchery and vicious honor, or by the exposure or slaughter of a multitude of children, victims of their parents' poverty or their mothers' barbarous shame; or, finally, by the mutilation of those unfortunate men for whom a part of their existence and all of their posterity are sacrificed to vain songs or, worse still, to the brutal jealousy of a few men, a mutilation which in this latter case is a double outrage to nature, both for the treatment received by those who suffer it and for the use to which they are destined.

<But are there not a thousand more frequent and even more dangerous cases where paternal rights overtly offend humanity? How many talents are buried and inclinations forced by fathers' imprudent constraints! How many men who would have distinguished themselves in an appropriate social position die miserable and dishonored in another position for which they had no taste! How many happy but unequal marriages have been broken or upset, and how many chaste wives disgraced by these conditions of the social order, which permanently contradict the order of nature! How many other bizarre unions formed by interest and disavowed by love and reason! How many honest and virtuous married couples torment each other because they are badly matched! How many young and unhappy victims of their parents' greed hurl themselves into vice or spend their wretched days in tears and groan in the indissoluble bonds which the heart rejects and which have been made by gold alone! Fortunate sometimes are those women whose courage and even virtue tear them from life before barbaric violence drives them into crime or despair. Forgive me, my forever-to-be-pitied father and mother. I regret embittering your sorrows, but may they serve as an eternal and terrible example to anyone who ventures, in the name of nature herself, to violate the most sacred of her rights!

If I have spoken only about those badly made unions which are the work of our civil society, should we believe that those where love and sympathy have presided are themselves without their disadvantages?>

What would it be like if I undertook to show the human species attacked at its very source and even in the most sacred of all bonds, where no one any longer dares to listen to nature until after he has consulted fortune and where, with civil disorder confusing virtues and vices, continence becomes a criminal precaution and the refusal to give life to a being like oneself a humanitarian act? But without tearing aside the veil covering so many horrors, let us be content to indicate the evil for which others must supply the remedy.

Let us add to all this the number of unhealthy trades which shorten men's days or destroy their constitution—such as working in the mines, the various ways of preparing metals and minerals, above all lead, copper, mercury, cobalt, arsenic, and realgar, and those other perilous occupations which every day cost the lives of a number of working men, some of them roofers, others carpenters, others masons, others quarry workers. Let us add up, I say, all these things, and we will be able to see in the establishment and perfection of societies the reasons for the decrease in the species, which more than one philosopher has observed.

Luxury, impossible to guard against among men greedy for their own conveniences and for the esteem of others, soon completes the evil which societies have begun, and under the pretext of keeping the poor alive, which it should not have been necessary to do, impoverishes all the rest and sooner or later depopulates the state.

Luxury is a remedy far worse than the evil it claims to cure, or rather, it is itself the worst of all evils in whatever state, large or small. In order to feed the hordes of lackeys and miserable people it has created, luxury overwhelms and ruins the farmer and the city dweller. It is like those burning winds in the south that cover the grass and greenery with devouring insects and thus take away the subsistence of useful animals, and carry famine and death into all the places where they make themselves felt.

From society and the luxury it produces are born the liberal and mechanical arts, business, letters, and all those useless things that make industry flourish, enriching and destroying states. The reason for this decline is very simple. It is easy to see that by its nature agriculture must be the least lucrative of all the arts. Since its product is the most indispensably useful to all men, its price must be proportional to the resources of the poorest people. From the same principle we can derive this rule, that in general the arts are profitable in inverse proportion to their utility, and that the most necessary must finally become the most neglected. From that we see what we should think of the genuine advantages of industry and of the real effect its progress brings about.

Such are the perceptible causes of all the woes into which opulence finally hurls the most admired nations. As industry and the arts expand and flourish, the scorned farmer, burdened with taxes essential for maintaining luxury and condemned to spend his life between work and hunger, abandons his fields to go to the cities to seek the bread he ought to carry there. The more the stupid eyes of people are struck with admiration for our capital cities, the more we will have to groan at the sight of abandoned fields, uncultivated land, and the major roads swamped with unfortunate citizens who have become beggars or thieves, destined one day to end their misery on the wheel or a dung heap. This is how the state enriches itself on the one hand, and grows weak and loses its population on the other, and how the most powerful monarchies, after a great deal of work to make themselves opulent and deserted, end up becoming the prey of poor nations that succumb to the fatal temptation to invade them and then, in their turn, make themselves wealthy and weak, until they themselves are invaded and destroyed by others.

For once let someone deign to clarify for us what could have produced those swarms of barbarians who inundated Europe, Asia, and Africa for so many centuries. Did they owe this immense population to the industry of their arts, to the wisdom of their laws, or to the excellence of their civil society? Let our learned men be so good as to tell us why, rather than multiplying to this point, these ferocious and brutal men, without enlightenment, without restraint, without education, did not all cut each other's throats at every moment in quarrels over their food or their hunting? Let them explain to us how these miserable men even had the audacity to look directly at such clever people as we were, with such excellent military discipline, such fine codes, and such wise laws. Finally, why, since society has perfected itself in the countries of the north and people have taken so much trouble to teach men their mutual duties and the art of living agreeably and peacefully together, does one no longer see coming from them anything like these multitudes of men, which it used to produce previously? I am quite afraid that someone may eventually get the idea of answering me that all these great things—namely, the arts, sciences, and laws—have been very wisely invented by men as a beneficial plague to check the excessive multiplication of the species, for fear that this world, which is intended for us, might finally become too small for its inhabitants.

What then? Is it necessary to destroy societies, eliminate *yours* and *mine*, and return to live in the forests with the bears? A conclusion in the style of my adversaries, one I prefer to anticipate rather than allow them the shame of drawing. O you, to whom the heavenly voice has not made itself heard and who do not recognize any purpose for your species other than to conclude this short life in peace, you who in the midst of cities can leave behind your fatal acquisitions, your restless minds, your corrupted hearts, and your frantic desires: since it depends on you, take back your ancient and first innocence. Go into the woods to lose the sight and memory of the crimes of your contemporaries, and do not be afraid that you are demeaning your species by renouncing its enlightenment in order to renounce its vices. As for men like me, whose passions have forever destroyed our original simplicity, who can no longer nourish themselves on grass and acorns, nor do without laws and leaders; those who were honored in their first father with supernatural lessons; those who will see in the intention of first giving to human actions a morality which they would not have acquired for a long time the reason for a precept indifferent in itself, and inexplicable in any other system: those people, in a word, who are convinced that the divine voice has called all the human race to the enlightenment and happiness of the celestial intelligences, all these will try, through exercising the virtues which they oblige themselves to practice as they learn to understand them, to deserve the eternal reward that they ought to expect from them. They will respect the sacred bonds of the societies of which they are members; they will love their fellow men and will serve them with all their power; they will scrupulously obey the laws and the men who are their authors and ministers; above all, they will honor the good and wise princes who will know how to prevent, cure, or mitigate this host of abuses and evils always ready to overwhelm us. They will inspire the zeal of these worthy leaders by showing them without fear and without flattery the greatness of their task and the strictness of their duty. But they will no less despise a constitution which cannot be maintained except with the help of so many respectable people, more often desired than found, and from which, despite all their cares, are always born more real calamities than apparent advantages.

Appendix 2: Note 10 [On Human Variety]

Among the men we know, either ourselves personally or from historians or travelers, some are black, others white, others red; some have long hair; others have only woolly curls; some are almost all hairy; others do not even have a beard. There used to be, and perhaps still are, nations of men of gigantic height, and, setting aside the fable of the pygmies, which could well be nothing but an exaggeration, we know that the Laplanders and especially the people in Greenland are far below a man's average height. The claim is even made that there are entire peoples who have tails like quadrupeds. Without putting blind faith in the stories of Herodotus and Ctesias, we can at least take from them this very probable opinion, that if people could have made good observations in those ancient times, when various peoples followed ways of life more different from each other than they are today, they would have also noticed many more striking varieties in the shape of the body and in physical habits. All these facts, for which it is easy to provide incontestable proofs, can surprise only those who are accustomed to looking at nothing but the objects that surround them, and who are ignorant of the powerful effects of the diversity in climates, weather, nourishment, ways of life, general habits, and, above all, of the astonishing force of these very causes when they operate continuously over a long series of generations. Nowadays, when trade, travels, and conquests increasingly bring different peoples together and when their ways of life are constantly drawing closer to one another through frequent communication, we notice that certain national differences have diminished. For example, everyone can observe that the French today no longer have those large pale bodies and fair hair described by Latin historians, although time, along with the mixing of the Franks and Normans, who were themselves pale and fair-haired, should have re-established what interaction with the Romans could have taken away from the influence of the climate upon the natural constitution and complexion of the inhabitants. All these observations on the varieties which a thousand causes could produce and have, in fact, produced in the human species make me question whether several animals similar to men, taken by travelers for beasts without much examination, either because of some differences they noticed in the external shape or merely because these animals did not speak, could not have been, in fact, real savage men, whose race, scattered ages ago in the woods, had no opportunity to develop any of its potential faculties, had not acquired any degree of perfection, and remained in the primitive state of nature. Let me give an example of what I mean:

"In the kingdom of the Congo," says the translator of *L'Histoire des Voyages*, "we find a number of those large animals people in the East Indies call *orangutan*, which occupy something like a middle position between the human species and the baboons. Battel reports that in the forest of Mayomba, in the kingdom of Loango, one finds two kinds of monsters: the larger ones are called *pongos* and the others *enjokos*. The former resemble man exactly but are much stouter and very tall. They have a human face and very deep-set eyes. Their hands, cheeks, and ears have no hair, except for their eyebrows, which are extremely long. Although the rest of their body is quite hairy, the hair is not particularly thick, and its color is brown. Finally the only part that distinguishes them from men is their leg, which lacks a calf. They walk upright, with their hands gripping the hair on each other's necks. They take refuge in the woods, sleep in trees, and make a kind of roof up there that keeps them covered from the rain. Their foods are fruit or wild nuts. They never eat meat. Negroes who move through the forest habitually light fires there during the night. They notice that in the morning, once they leave, the pongos take their place around the fire and do not leave until it is out. For with all their skill, they do not have sufficient sense to maintain the fire by bringing wood to it."

"Sometimes they move in groups and kill the Negroes moving through the forests. They even fall upon elephants that come to graze in the places where they live and upset them by hitting them so hard with their fists or with sticks that they force them to run away bellowing. Pongoes are never taken alive, because they are so strong that ten men would not be enough to stop them. But the Negroes capture a number of young ones after killing the mother, to whose body the little one clings tight. When one of these animals dies, the others cover its body with a pile of branches or leaves. Purchas[1] adds that in his conversations with Battel[2] he learned from him personally that a pongo had taken from him a small Negro who spent an entire month in the company of these animals. For they do no harm to men they come upon unexpectedly, at least when the men do not look at them, as the small Negro noticed. Battel did not describe the second species of monster."

"Dapper[3] confirms that the kingdom of the Congo is full of those animals that in the Indies are called orangutans, that is, dwellers in the woods, and which the Africans call *quojas-morros*. This beast, he says, is so like man that some travelers have had the idea that it could be the issue of a woman and a monkey, a chimera that the Negroes themselves reject. One of these animals was taken from the Congo to Holland and presented to the Prince of Orange, Frederick Henry. It was as tall as a child at three years of age and of medium build, but square and well proportioned, extremely agile, and very lively. Its legs were thick and sturdy, and its entire body was bare in front but covered with black hair on the back. At first glance, its face looked like a man's, but it had a flat, turned-up nose. Its ears were also those of the human species. Its breasts, for it was a female, were plump, its navel deep set, its shoulders very well articulated, its hands divided into fingers and thumbs, and its calves and heels thick and fleshy. It often moved upright on its legs and was capable of lifting and carrying fairly heavy loads. When it wanted to drink, it would take the lid of a pot in one hand and hold the bottom with the other. Afterwards it would gracefully wipe its lips. It lay down to sleep with its head on a cushion, covering itself with such dexterity that one would have taken it for a man in bed. The Negroes tell strange stories about this animal. They claim that it not only takes women and young girls by force but dares to attack armed men. In short, it seems readily apparent that it is the satyr of the ancients. Merolla[1] is perhaps talking only about these animals when he recounts that the Negroes sometimes capture savage men and women in their hunts."

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[1] *Purchas* Samuel Purchas (1575–1626) was a noted English author of travel stories.

[2] *Battel* Andrew Battel was a noted English traveller in Africa in the late 16th and early 17th centuries, whose encounters in Angola were especially valued in the 17th and 18th centuries.

[3] *Dapper* Olfert Dapper (1636–89) was a Dutch geographer and physician, whose work Purchas summarizes here.

There is more in the third volume of the same *Histoire des Voyages* about these species of anthropomorphic animals under the name *beggos* and *madrills*. But to confine ourselves to the above accounts, we find in the description of these alleged monsters some striking similarities to the human species, and smaller differences than those one could establish between one man and another. We do not see in these passages the reasons why the authors refuse to give the animals in question the name savage men, but it is easy to guess that it is because of their stupidity and also because they did not speak, weak reasons for those who know that, although the organ for speech is natural to man, speech itself is not natural to him, and who know to just what extent his perfectibility could have raised civil man above his original state. The small number of lines that contain these descriptions enables us to judge how poorly these animals were observed, and with what prejudices they have been seen. For example, they are considered monsters, and yet people agree that they reproduce. In one place Battel says that the pongos kill the Negroes who cross through the forests; in another Purchas adds that they do not do them any harm, even when they take them by surprise, at least not when the Negroes make no attempt to look at them. The pongos gather around the fires lit by the Negroes when the latter move away, and go off in their turn when the fire has gone out. There you have the fact. Now here is the observer's comment: "For with all their skill, they lack sufficient sense to maintain the fire by bringing wood to it." I would like to work out how Battel or his compiler Purchas could have known that the pongos left the fire because of their stupidity rather than their will. In a climate like that of Loango, fire is not something very necessary to animals, and if the Negroes light them, it is less to fight the cold than to scare off ferocious beasts. It is thus quite simply the case that, after enjoying the flames for some time or growing quite warm, the pongos get bored of staying constantly in the same spot and go away to graze, an activity which demands more time than if they ate flesh. Moreover, we know that most animals, not excepting man, are naturally lazy, and that they refuse all sorts of care for themselves which is not absolutely necessary. Finally, it appears extremely strange that the pongos, whose dexterity and strength people praise, the pongos who know how to bury their dead and to make themselves roofs out of branches, do not understand how to push tinder into the fire. I remember watching a monkey carry out this same maneuver that these people want to claim the pongos cannot do. It is true that my ideas were not at that time focused on this subject, and so I myself committed the mistake for which I am criticizing our travelers: I neglected to examine if the monkey's intention was, in fact, to maintain the fire or simply, as I believe, to imitate the action of a man. Whatever the case, it has been well demonstrated that the monkey is not a variety of man, not only because it lacks the capacity to speak, but above all because it is certain that its species does not have the ability to perfect itself, which is the particular characteristic of the human species.. Experiments do not seem to have been made on the pongo and the orangutan with sufficient care for us to be able to draw the same conclusion in their case. Nonetheless, there should be a way by which, if the orangutan or others were in the human species, even the crudest observers would be able to assure themselves, even with a demonstration; but apart from the fact that a single generation would not be sufficient for this experiment, such a test must be considered impractical, because what is only a supposition would have to be shown to be true, before the test to confirm the fact could be innocently attempted.

Judgments that are precipitous and not the fruit of enlightened reason tend to be excessive. Without any fuss our travelers made beasts with the names *pongos*, *mandrills*, and *orangutans*; from the same creatures the ancients made gods using the names *satyrs*, *fauns*, and *sylvans*. Perhaps after more precise investigations we will find that they are <neither beasts nor gods but> men. In the meantime, it seems to me that in this matter it is every bit as reasonable to rely on Merolla, an educated priest and a visual witness, who, for all his naïveté, was an intelligent man, as it is to trust the merchant Battel, Dapper, Purchas, and the other compilers.

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[1] *Merolla* Jerome Merolla (c. 1650–c. 1710) was a Franciscan missionary who recorded his experiences in the Congo.

What judgment do people think observers like these would have made on the child found in 1694,[1] whom I have already spoken about above and who gave no sign of reason, moved on his hands and legs, had no language, and formed sounds which were nothing like those of a man? It took a long time, continues the same philosopher who provided me with this fact, before he was capable of producing a few words, and he still did that in a barbarous manner. As soon as he could speak, he was questioned about his first state, but he remembered no more about it than we remember what happened to us in the cradle. If by some misfortune for him, this child had fallen into the hands of our travelers, there is no doubt that, after noticing his silence and stupidity, they would have been in favor of sending him back into the forests or shutting him up in a menagerie, after which they would have spoken knowledgeably about him in their splendid reports as a really curious beast that looked quite similar to man.

During the three or four hundred years the inhabitants of Europe have been flooding other parts of the world and constantly publishing new collections of travels and reports, I am convinced that the only men we know are Europeans. And from the ridiculous prejudices which have not been extinguished, not even among men of letters, it still seems that each one, under the grandiose name study of man, does hardly anything but study the men of his own country. Individuals may come and go but it appears philosophy does not travel. And so the philosophy of one people is not very suitable for another. The reason for this is obvious, at least for far-off countries: there are scarcely more than four kinds of men who undertake lengthy voyages—sailors, merchants, soldiers, and missionaries. Now, we should hardly expect that the first three groups would provide good observers, and as far as the members of the fourth are concerned, they would be busy with the sublime vocation that calls them, and even if they were not subject to social prejudices, like all the others, we would have to think they would not willingly devote themselves to investigations which appear merely curious, and which would divert them from the more important tasks to which they are destined. Moreover, in order to preach the gospel effectively, nothing is required except zeal, and God gives the rest. But to study men requires talents that God does not promise to give to anyone, and that are not always shared by saints. In every travel book we open we find descriptions of characters and customs, but we are completely astonished to notice in them that these people who have described so many things have said only what everyone knew already, that at the other end of the world they have grasped only those things they could have observed without leaving their street, and that the true characteristics which distinguish nations and which strike eyes made to see have almost always escaped theirs. That is the origin of the fine moral saying, so tossed around by the philosophical crowd, that men are the same everywhere, and because they have the same passions and the same vices everywhere, it is rather pointless to seek to characterize different peoples, a line of reasoning about as good as if one said that we cannot distinguish Peter and James because both of them have a nose, mouth, and eyes.

Will we never see reborn those happy times when people did not get mixed up with philosophizing, but when men like Plato, Thales, and Pythagoras,[2] gripped by a passionate desire to know, undertook the greatest voyages solely for the purpose of instructing themselves and went far away to shake off the yoke of national prejudices, to learn to understand men by their similarities and their differences, and to acquire that universal knowledge that is not knowledge of one century or of one country exclusively, but which, being of all times and of all places, is, as it were, the common science of the wise?

We admire the munificence of some curious men who have made or made possible at great expense voyages to the Orient with scholars and painters, so that they could sketch pictures of crumbling buildings and decipher or copy inscriptions, but I have difficulty conceiving how, in an age when people pride themselves on their fine knowledge, one cannot find two closely linked rich men, one financially rich and the other rich in genius, both with a love of glory and a desire for immortality, one of whom would sacrifice twenty thousand crowns of his wealth and the other ten years of his life for a famous voyage around the world, in order to study, not always rocks and plants, but for once men and customs, and who, after so many centuries taken up with measuring and inspecting the house, finally got the idea of wanting to know the inhabitants.

When academicians have traveled through the northern parts of Europe and the southern regions of America, their purpose has been to visit more as geometers than as philosophers. However, since La Condamine and Maupertuis[1] were both of these at once, we cannot consider the regions they saw and described as completely unknown. The jeweler Chardin,[2] who traveled like Plato, has left nothing to say about Persia. China appears to have been well observed by the Jesuits. Kempfer provides a passable idea of the little he saw in Japan.[3] Apart from these accounts, we do not know the people of the East Indies, who have been visited solely by Europeans more intent on filling their purses than their heads. All of Africa and its numerous inhabitants, as remarkable for their character as for their color, remain to be studied. The entire earth is covered with nations we know nothing about except their names, and yet we make it our business to judge the human race! Suppose a Montesquieu, a Buffon, a Diderot, a Duclos, a d'Alembert, a Condillac, or men of that caliber, traveling to instruct their compatriots, observing and describing, in the way they know how to do, Turkey, Egypt, Barbary, the empire of Morocco, Guinea, the lands of the tribes in southern Africa, the interior and the east coast of Africa, the Malabars, Mongolia, the banks of the Ganges, the kingdoms of Siam, Pegu and Ava, China, Tartary, and especially Japan; then in the other hemisphere, Mexico, Peru, Chile, the lands of Magellan, not forgetting the Patagonias, true or false, Tucamen, if possible Paraguay, Brazil, finally the Caribbean, Florida, and all the savage countries, the most important voyage of all and one which would have to be undertaken with the greatest care. Suppose that these new Herculeses returned from these memorable journeys, then at their leisure created a natural history, moral and political, of what they had seen. We would ourselves see a new world emerge from under their pens, and from this we would learn to understand our own. I say that when observers like these affirm that such and such an animal is a man and that another is a beast, we will have to believe them. But it would be extremely simplistic in this matter to rely on inaccurate travelers, about whom one is tempted sometimes to pose the same question they take it upon themselves to resolve concerning other animals.

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[1] *Child found in 1694* In an earlier footnote, abridged above, Rousseau describes a feral child "found in 1694 in the forests of Lithuania, who lived among bears."

[2] *Plato, Thales, and Pythagoras* Ancient Greek philosophers noted for their travels.

Appendix 3: Note 12 [On the Views of John Locke]

In Locke's *Civil Government* I find an objection that appears to me too specious for me to be permitted to conceal it.[4]

"The purpose of social interaction between the male and female," says this philosopher, "is not simply to procreate but to continue the species, and so this interaction must last, even after procreation, at least as long as is necessary for the nourishment and the preservation of the offspring, that is to say, until they are capable of supplying their needs themselves. We see that creatures inferior to man constantly and strictly observe this rule, which the infinite wisdom of the Creator has established for the works of His hands. In those animals which live on grass, the interaction between the male and female lasts only as long as each act of copulation, because the mother's teats are sufficient to nourish the young until such time as they are capable of grazing on grass; thus, the male is content with begetting and does not involve himself after that with the female or with the young, to whose subsistence he can contribute nothing. But where beasts of prey are concerned, the interaction lasts longer, because the mother is unable to provide properly for her own subsistence and to nourish her young at the same time by means of her prey alone, for this way of feeding oneself is more laborious and more dangerous than feeding on grass. The assistance of the male is absolutely essential for the maintenance of their common family, if one may use this term, which cannot survive to the point where the young are able to go in search of prey except through the care of the male and female. One observes the same thing among all the birds, with the exception of some domestic ones that are found in places where the continual abundance of food exempts the male from the care of feeding the young. One sees that while the young in their nest require nourishment, the male and the female bring it there, until these young can fly and provide their own subsistence.

"And in that, I believe, consists the principal, if not the only, reason why the male and the female of humankind are obliged to a longer social interaction than the one that other creatures maintain. This reason is that the woman is capable of conceiving and is typically pregnant once again and producing a new child long before the earlier one is at the stage where it can do without the help of its parents and provide for its needs itself. In this way, a father is obliged to take care of those whom he has engendered and to continue that care for a long time: he also has an obligation to continue living in a conjugal association with the same woman with whom he had them and to remain in this relationship much longer than other creatures, among whom, because the young can survive on their own before the time for a new procreation arrives, the bond between male and female is broken on its own, and both find themselves completely free, until the season which customarily prompts animals to pair off requires them to choose new mates. And here we cannot admire enough the wisdom of the Creator, who, having given man the qualities appropriate to providing for the future as well as for the present, wanted and saw to it that the social interaction of man and woman would last much longer than that of the male and the female among other creatures, so that in this way the industry of the man and woman would be more stimulated and their interests more unified, with a view to providing for their children and leaving them their goods, since nothing could be more prejudicial to children than an uncertain and vague union, or an easy and frequent dissolution, of conjugal society."

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[1] *La Condamine and Maupertuis* Charles Marie de La Condamine (1701–74) traveled to the equator in 1736, recording his account. Pierre-Louis de Maupertuis traveled to Lapland.

[2] *the jeweler Chardin* Jean Chardin (1643–1713) travelled throughout Persia (now Iran) all the way to India.

[3] *Kempfer* Engelbert Kaempfer (1651–1716) was a German explorer. He wrote a book titled *History of Japan*, which was for many years a principal source of Western knowledge of Japan.

[4] *In Locke's Civil Government … conceal it* This is drawn from chapter seven of Locke's *Second Treatise*.

The same love of truth that has made me sincerely set down this objection prompts me to accompany it with some remarks, if not to refute it, at least to illuminate it.

1. I will first observe that moral proofs do not have much force in matters of physical science, and that they serve to provide reasons for existing facts rather than to establish the actual existence of these facts. Now, that is the kind of proof that Mr. Locke uses in the passage I have just cited. For although it could be advantageous for the human species that the union of the man and the woman be permanent, it does not follow that things have been established this way by nature; otherwise we would have to say that nature also instituted civil society, arts, commerce, and everything claimed to be useful to men.

2. I do not know where Mr. Locke discovered that among animals of prey, the interaction between the male and female lasts longer than among animals living on grass, and that one helps the other feed the young. For we do not see the male dog, cat, bear, or wolf acknowledging their female any more than the horse, ram, bull, stag, or all the other quadrupeds acknowledge theirs. On the contrary, it seems that, if the male's assistance was necessary to the female in order to preserve the young, this would be above all in the species which lived only on grass, because the mother requires a great deal of time to graze, and during this whole period she is forced to neglect her litter; whereas the prey of a female bear or wolf is devoured in an instant, and so she has more time to suckle her young without suffering from hunger. This reasoning is confirmed by an observation on the relative number of teats and young that distinguishes carnivorous from frugivorous species, a point I discussed in Note 8 [page 290, note 3]. If this observation is accurate and general, since the woman has only two teats and rarely has more than one child at a time, there is a powerful additional reason for doubting that the human species is naturally carnivorous. Hence, it seems that, in order to draw Locke's conclusion, we would have to turn his reasoning completely around. The same distinction applied to birds is no more reliable. For who will be persuaded that the union of male and female lasts longer among vultures and crows than among turtledoves? We have two species of domestic birds, the duck and the pigeon, that provide us with examples directly contrary to this author's system. The pigeon, which lives on nothing but grain, remains united with his female, and they feed their young together. The duck, whose voracity is well-known, does not recognize either his female or his young and does not help at all with their subsistence. Among chickens, a species hardly less carnivorous, we do not observe the rooster making any effort at all for the brood. And if in other species the male shares with the female the care of feeding the young, that is because birds, which cannot fly at first and which the mother cannot suckle, are far less able to do without the help of the father than are quadrupeds, for whom the mother's teat is sufficient, at least for a while.

3. There is considerable uncertainty about the main fact that serves as the basis for Mr. Locke's entire argument. For, in order to know if, as he claims, in a pure state of nature the woman is typically pregnant once again and producing a new child long before the previous one can provide for its needs by itself, we would require experiments that Locke certainly did not do and that no one is in a position to do. The continued cohabitation of husband and wife provides such an immediate opportunity for them to experience a new pregnancy that it is very difficult to believe that fortuitous meetings or the mere impulse of temperament produced these results as frequently in the pure state of nature as in conjugal society, a slow pace which would perhaps contribute to making the children more robust and which, in addition, could be compensated for by an ability to conceive prolonged to an older age among women who would have abused it less during their youth. As far as

children are concerned, there are a number of reasons for believing that their strength and their organs develop later among us than they did in the primitive condition I am talking about. The original weakness which they get from the constitution of their parents, the cares which are taken to wrap and constrain all their limbs, the tenderness with which they are raised, perhaps the use of milk other than their mother's—all these work against and delay in them the first progress of nature. The care they are required to give to a thousand things on which their attention is constantly fixed, without being given any exercise for their bodily strength, could again considerably hamper their growth, so that, if, instead of at first overloading and exhausting their minds in a thousand ways, we let them exercise their bodies with the continual movements which nature appears to demand of them, we can believe they would be capable of walking, being active, and providing for their own needs themselves much earlier.

4. Finally, Mr. Locke proves at most that there could well be in man a motive to remain attached to a woman when she has a child. But he in no way proves that he must have been attached to her before the delivery and during the nine months of the pregnancy. If a given woman is indifferent to the man during these nine months, if she has even become unknown to him, why will he assist her after the birth? Why will he help her raise a child which he does not even know belongs to him, and whose birth he did not decide upon or anticipate? Mr. Locke is evidently assuming what is in question. For it is not a matter of knowing why the man will remain attached to the woman after the birth, but why he will attach himself to her after conception. The appetite satisfied, the man has no more need for that particular woman, nor the woman for that particular man. He has not the least concern for and perhaps the least idea about the consequences of his action. One goes off in one direction, the other in another, and it is not clear that at the end of nine months they retain the memory of having known each other. For this sort of memory by which one individual gives preference to another for the act of procreation demands, as I demonstrate in the text, more progress or corruption in the human understanding than one can assume it has in the condition of animality in question. Thus, another woman can satisfy the man's new desires just as easily as the one whom he has already known, and another man can satisfy the woman in the same way, assuming that she is motivated by the same desire during pregnancy, something we can reasonably doubt. If in the state of nature the woman no longer feels the passion of love after the conception of the child, the obstacles facing interaction with the man become much greater still, since she then has no further need either of the man who has impregnated her or of any other. There is thus in the man no reason to seek out the same woman, nor in the woman any reason to seek out the same man. Hence, Locke's reasoning collapses in ruins, and this philosopher's whole dialectic has not saved him from the mistake that Hobbes and others have committed. They had to explain a fact about the state of nature, that is, a state where men lived by themselves and where two particular men had no motive for living near one another, nor perhaps, even worse, did men have to live near other men. They did not think of taking themselves back before the centuries of society, in other words, before those times when men always have a reason to live close together, and where a given man often has reason to live near a particular man or woman.

Appendix 4: Note 16 [On Humans Living in an Intermediate Stage]

It is extremely remarkable that in all those years that Europeans have been eager to bring savages from various regions of the world into their way of life, they have still not been able to win over a single one of them, not even with the support of Christianity. For our missionaries have sometimes made them Christians, but never civilized men. Nothing can overcome the invincible repugnance they have against adopting our customs and living in our manner. If these poor savages are as wretched as people claim, by what inconceivable lack of judgment do they constantly refuse to civilize themselves by imitating us, or to learn how to live happily among us? By contrast, we read in a thousand places that Frenchmen and other Europeans have voluntarily taken refuge among these nations and spent their entire lives there, without being able to leave such a strange way of life. We even see sensible missionaries touchingly missing the calm and innocent days they spent among those despised peoples. If someone responds that these savages do not have enough enlightenment to judge soundly of their condition and ours, I will answer that evaluating happiness is less a matter of reason than of sentiment. Furthermore, this response could be turned against us with still more force. For there is a greater distance between our ideas and the mental disposition we would need to understand the taste which the savages have for their way of life, than between the savages' ideas and those which could make them understand the way we live. In fact, after a few observations it is easy for them to see that all our labors are directed at only two objectives; namely, at conveniences of life for ourselves and at respect from other people. But how are we to imagine the sort of pleasure a savage takes at spending his life alone in the middle of the woods, or fishing, or blowing on a badly-made flute, without ever knowing how to draw from it a single note and without taking the trouble to learn?

On several occasions people have brought savages to Paris, London, and other cities. They have been quick to display for them our luxuries, our riches, and all our most useful and most intriguing arts. All this has never aroused in them anything but a stupid admiration, without the least turn to covetousness. Among others stories, I remember one about some North American chief who was brought to the English court some thirty years ago. They had a thousand articles paraded before his eyes in an attempt to find something that would please him as a gift, without discovering anything he appeared to care about. Our weapons seemed heavy and awkward to him, our shoes hurt his feet, and our clothes bothered him. He refused everything. Finally, they noticed that he took up a woolen blanket and seemed to get pleasure from wrapping it around his shoulders. "You will at least concede," someone said to him immediately, "the usefulness of this item?" "Yes," he replied, "it seems to me almost as good as an animal skin." And he would not have said even that if he had worn them both in the rain.

Perhaps I will be told that it is habit that, by attaching each person to his manner of life, prevents savages from sensing what is good in ours. If so, it must appear at least really extraordinary that habit has more power to maintain in savages a taste for their misery than in Europeans an enjoyment of their happiness. But to frame a response to this last objection to which one cannot offer a single word in reply, and without referring to all the young savages whom people have struggled in vain to civilize, without mentioning the Greenlanders and the inhabitants of Iceland whom they tried to raise and feed in Denmark, all of whom were killed off by sadness and despair, whether from listlessness or in the sea—where they attempted to swim back to their country—I will content myself with citing a single well-attested example, which I offer to admirers of European civilization for their consideration.

"All the efforts of the Dutch missionaries of the Cape of Good Hope have never been able to convert a single Hottentot. Van der Stel, governor of the Cape, took one of them in infancy and had him raised in the principles of the Christian religion and the practice of European habits. He was richly dressed, they had him learn several languages, and his progress responded extremely well to the cares people took with his education. The governor, who had high hopes for his mind, sent him to the Indies with a commissioner general, who employed him usefully in the affairs of the company. He came back to the Cape after the commissioner's death. A few days after his return, while visiting some Hottentots in his family, he took it upon himself to strip off his European finery in order to clothe himself with a sheepskin. He returned to the fort in this new outfit, carrying a package containing his old clothes and, as he presented them to the governor, said the following to him: 'Have the goodness, sir, to pay attention to the fact that I am renouncing these clothes forever. I also renounce for all my life the Christian religion. My resolution is to live and die in the religion, manners, and customs of my ancestors. The only favor I ask of you is to leave me the necklace and cutlass I am wearing. I will keep them for love of you.' Without waiting for Van der Stel's response, he immediately ran off in flight and they never saw him again at the Cape." *Histoire des Voyages*, *Vol. 5*, p. 175.

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On the Social Contract or the Principles of Political Right (1762)

> Let us speak of the laws of an equal federation.
> (*Aeneid* XI)[1]

Foreword

This small treatise is part of a more extensive work that I carried out earlier, without having taken into account my own powers, and that I abandoned a long time ago. Of the various parts one could extract from what it was, this is the most significant, and to me it seemed the least unworthy of being offered to the public. The rest no longer exists.

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[1] *Let us speak … federation* Rousseau quotes Virgil's Latin.

Book 1

I wish to explore whether in the civil order, if one takes men as they are and laws as they might be, there can be some sure and legitimate rule of administration. In this search, I will attempt always to unite what right permits with what interest prescribes, so that there will be no division of justice and utility.

I launch my undertaking without demonstrating the importance of my subject. People will ask me if, writing on politics, I am a prince or a lawgiver. My answer is that I am neither, and that is the reason I am writing on politics. If I were a prince or a lawgiver, I would not waste my time talking about what must be done. I would do it, or remain silent.

Since I was born a citizen of a free state and a member of the sovereign, no matter how weak the influence of my voice on public affairs may be, the right to vote on such issues is enough to impose on me the duty to instruct myself about them. And every time I meditate on governments, I am happy that in my research I always find new reasons to love the government of my country!

Chapter 1
Subject of This First Book

Man is born free, and everywhere he is in chains. Someone who believes he is the master of others does not escape being more enslaved than they. How did this transformation come about? I do not know. What can render it legitimate? This question I believe I can resolve.

If I were to consider nothing but power and the effects that follow from it, I would say: as long as a people is compelled to obey and does obey, it is doing well; as soon as it can throw off its yoke and does shake it off, it is doing even better, for by recovering its liberty through the same right that robbed the people of it, either it is justified in taking it back or those who deprived the populace of freedom had no justification for doing so. But the social order is a sacred right that serves as the foundation for all the others. This right, however, does not come from nature and is thus founded on conventions. It is a matter of knowing what these conventions are. Before coming to that, I ought to establish what I have just asserted.

Chapter 2
On the First Societies

The oldest of all societies and the only natural one is that of the family. Even there, the children remain linked to the father only as long as they need him for their self-preservation. As soon as this need ends, the natural bond dissolves. Once the children are free of the obedience they owed their father and the father is free of the care he owed his children, they all return equally to independence. If they continue to remain united, this is no longer natural but voluntary, and the family maintains itself only by convention.

This common liberty is a consequence of the nature of man. His first law is to look after his own preservation, his first cares are those he owes himself, and as soon as he reaches the age of reason, since he is the sole judge of the means appropriate to preserving himself, he thereby becomes his own master.

Thus, the family is, if you will, the first model of political societies.[1] The leader is viewed as the father, and the people as the children. Since they are all born equal and free, they do not alienate their freedom except for their own advantage. The only difference is that in the family the love of the father for his children repays him for the care he takes of them, and that in the state the pleasure of commanding replaces this love, which the leader does not feel for his people.

Grotius denies that all human power is established for the benefit of those who are governed.[2] He cites slavery as an example.[3] His most characteristic style of reasoning is always to establish right by fact.[4] One could use a more logical method, but not one more favorable to tyrants.

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1 *the family ... societies* Rousseau here is returning to arguments he previously made in his *Discourse on Political Economy* (*PE*, 3–6) in response to Robert Filmer's *Patriarcha*.

2 *Grotius denies ... governed* Rousseau here is referencing Hugo Grotius's *Rights of War and Peace*. Grotius (1583–1645) was an influential Dutch natural law theorist. This argument is repeated in Jean-Jacques Burlamaqui's *The Principles of Natural Law and Politic Law*; Burlamaqui was a Genevan academic and natural law theorist, who also served in the patrician Genevan Small Council by virtue of family wealth and connections.

3 *slavery as an example* Here and in the next two chapters, most scholars agree that Rousseau writes of slavery in the sense of living under a despotic regime, rather than more specifically slavery as it was being practiced in the New World.

4 *establish right by fact* [Rousseau's note] "Scholarly studies into public right are often merely histories of ancient abuses, and one

Thus, according to Grotius, it is unclear whether the human race belongs to a hundred men or whether these hundred men belong to the human race, and in his whole work he seems to incline towards the former opinion. That is also Hobbes's sentiment. And in this way, the human race is divided into herds of cattle, each of which has its chief, who guards it in order to devour it.

As a shepherd has a nature superior to that of his flock, so the shepherds of men, who are their leaders, also possess a nature superior to that of their peoples. The emperor Caligula, according to what Philo reports, reasoned this way, and from this analogy came to the appropriate conclusion that either kings were gods or the people were beasts.[1]

Caligula's reasoning is the same as the arguments in Hobbes and Grotius. Before all of them, Aristotle had also claimed that men are not naturally equal, but that some are born for slavery and others for dominion.[2]

Aristotle was correct, but he took the effect for the cause. All men born into slavery are born for slavery. Nothing is more certain. Slaves lose everything in their chains, even the desire to escape them. They love their servitude, just as Ulysses' companions loved their brutish condition.[3] So then if there are slaves by nature, that is because there have been slaves against nature. Force made the first slaves; their cowardice has kept them so.

I have not said anything about king Adam or about emperor Noah, father of three great monarchs who divided up the universe among them, as did the children of Saturn, whom some have claimed they recognize in Noah's sons. I hope that people will find my moderation agreeable, for since I am a direct descendant of one of these princes—perhaps of the oldest branch—how do I know that with a verification of titles, I might not find myself the legitimate king of the human race? Whatever the case, one cannot deny that Adam was the sovereign of the world, just as Robinson [Crusoe] was of his island, as long as he was the sole inhabitant. And this empire had the advantage that in it, the monarch was secure upon his throne, and had to fear neither rebellions, nor wars, nor conspirators.

Chapter 3
On the Right of the Strongest

The strongest is never strong enough to be master all the time, unless he transforms his power into right and obedience into duty. From that comes the right of the strongest, a right which, although apparently intended ironically, is truly established in principle. But are we never to receive an explanation of this phrase? Force is physical power. I do not see what morality can result from its effects. To yield to force is an act of necessity, not of will, at most an act of prudence. In what sense can that be a duty?

Let us assume for a moment this alleged right. I maintain that the result of such a right is nothing but inexplicable nonsense. For as soon as it is force that creates right, the effect changes with the cause. Every force that is more powerful than the first inherits its right. Once we can disobey with impunity, we can do so legitimately, and since the strongest is always right, it is simply a matter of making ourselves the strongest. But what kind of right perishes when force ends? If we must obey because of force, we have no need to obey because it is our duty, and if we are no longer forced to obey, we have no obligation to do so. One can see, therefore, that this word *right* adds nothing to *force.* Here it signifies nothing at all.

Obey those in power. If that means yield to force, it is a good precept, but superfluous. I reply that it will never be violated. All power comes from God—that I concede—but all sickness comes from Him as well. Does that mean we are forbidden to summon the doctor? If a brigand surprises me in a part of the forest, am I not merely compelled by force to surrender my purse, but also in conscience obliged to give it to him, when I could withhold it? For in the end, the pistol he holds is also a power.

So let us agree that force does not create right, and that we are obliged to obey only legitimate powers. Thus, we inevitably return to my original question.

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is laboring in vain when one takes the trouble to study them too much." *Manuscript of A Treatise on the Interests of France in Relation to Her Neighbors, by the Marquis L.M. d'Argenson.* That is precisely what Grotius has done.

[1] *The emperor Caligula … beasts* Rousseau refers here to Philo, *Embassy to Gaius,* XI.74–118.

[2] *Aristotle had also claimed … dominion* See Aristotle, *Politics,* Book I, chapters 5–6.

[3] *All men born into slavery … condition* [Rousseau's note] See Plutarch's short essay entitled *That Animals Use Reason.*

Chapter 4
On Slavery

Since no man has a natural authority over his fellow man and since force creates no right, therefore conventions remain as the basis of all legitimate authority among human beings.

If a particular individual can alienate his liberty, Grotius says, and make himself the slave of a master, why could not an entire people alienate its liberty and make itself subject to a king?[1] In this question there are a number of ambiguous words that require an explanation, but let us restrict ourselves to that word *alienate*. To alienate means to give or to sell. Now, a man who makes himself the slave of someone else is not giving but selling himself, at least for his subsistence. But why does a people sell itself? A king, far from providing his subjects their subsistence, derives his own only from them, and, according to Rabelais, a king does not live on a pittance. So, do subjects surrender their persons on condition that their goods will also be taken away? I do not see what they have left to preserve.

Some will say that the despot assures his subjects civil tranquility. That may be so, but what do they gain from that, if the wars that his ambition draws them into, if his insatiable greed and the humiliating demands of his ministers bring them more desolation than their own quarrels would have done? What do they gain from it, if this tranquility is itself one of their miseries? People also live peacefully in dungeons. Is that enough to make them a good place to live? The Greeks imprisoned in the cave of Cyclops lived there peacefully, while waiting for their turn to be devoured.[2]

To say that a man gives himself gratuitously is to make an absurd and inconceivable claim. Such an act is illegitimate and void, for the sole reason that the man who does it is not in his right mind. To say the same thing about an entire people is to assume a population of madmen. Madness creates no rights.

Even if each man were able to alienate himself, he cannot alienate his children. They are born human beings and free. Their liberty belongs to them. They alone have the right to dispose of it. No one else has that right. Before they reach the age of reason, the father can stipulate in their name the conditions for their preservation, for their well-being, but he cannot give them away irrevocably and unconditionally. For such a gift is contrary to the ends of nature and goes beyond the rights of paternity. Thus, for an arbitrary government to be legitimate, in every generation the people would have to have the power to accept or reject it. But then this government would no longer be arbitrary.

To renounce one's liberty is to renounce one's quality as a man, the rights of humanity, and even his duties. There is no possible compensation for someone who surrenders everything. Such a renunciation is incompatible with the nature of man, and to remove all liberty from someone's will is to remove all morality from his actions. Finally, it is an empty and contradictory convention to stipulate, on the one hand, an absolute authority and, on the other, an unlimited obedience. Is it not clear that we have no obligations towards someone from whom we have the right to demand everything? And does this condition alone, where there is no equivalence or exchange, not involve nullifying the act? For what right would my slave have against me, since all he possesses belongs to me? Now that his right is mine, this right I have against myself is meaningless.

Grotius and others derive from warfare another origin for the alleged right of slavery.[3] Since the victor, according to them, has the right to kill the vanquished, the latter can purchase his life back at the expense of his liberty, and this convention is all the more legitimate because it is profitable to both parties.

But it is clear that this alleged right to kill the vanquished in no way results from the state of war. Given the simple fact that human beings living in their original independence have no sufficiently constant relations among themselves to constitute either a state of peace or a state of war, they are not naturally enemies. What constitutes war is a relationship between things and not between men, and since a state of war cannot arise from simple personal relationships, but only from relationships involving property, a private war or a war of man against man cannot exist, either in the state of nature, where there is no definite property, or in the social state, where everything is under the authority of laws.

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[1] *If a particular individual … king* Grotius, *Rights of War and Peace*, 1.3.8.1.

[2] *The Greeks … devoured* Rousseau refers to the single-eyed beast of Homer's *Odyssey*, who offers his hospitality to unsuspecting sailors before consuming them. See *Odyssey*, Book 9.

[3] *Grotius and others … slavery* See Grotius, *Rights of War and Peace*, 3.7.1–3. See also Hobbes, *Leviathan*, 20.10, and Locke, *Second Treatise on Government*, §24.

Individual fights, duels, and confrontations are not acts that establish a state, and as far as private wars are concerned, authorized by the ordinances of Louis IX, king of France, and suspended by the peace of God, these are abuses of feudal government, an absurd system if ever there was one, contrary to the principles of natural right and to all good polities.

Hence, war is not a relation between one man and another, but between one state and another. In war individuals are enemies only by accident, not as men, nor even as citizens, but as soldiers; not as members of their homeland, but as its defenders.[1] Finally, each state can have as its enemies only other states and not other men, for between things with such different natures we can establish no true relationship.

This principle even complies with the established maxims of all times and with the constant practice of all civilized peoples. Declarations of war are warnings, not so much to those in power as to their subjects. A foreigner—whether king, individual, or people—who steals, kills, or detains the subjects without declaring war on the prince is not an enemy but a brigand. Even in the middle of a war, a just prince in a hostile country rightly seizes everything that belongs to the public, but he respects the persons and the goods of individuals. He respects the rights on which his own are founded. Since the end of war is the destruction of the enemy state, one has a right to kill its defenders as long as they bear arms. But as soon as they lay down their weapons and surrender, thus ceasing to be enemies or tools of the enemy, they return to being simply men, and one no longer has a right to their lives. Sometimes one can kill a state without killing a single one of its members, and war grants no right that is not essential to its purpose. These principles are not those of Grotius, nor are they founded on the authority of poets. But they do derive from the nature of things and are based upon reason.

As far as the right of conquest is concerned,[2] that has no foundation other than the law of the strongest. If war does not give the victor the right to massacre the vanquished, this right that he does not have cannot be the basis of his right to enslave them. One has the right to kill an enemy only when one cannot make him a slave. Hence, the right to make someone a slave does not stem from the right to kill him. It is thus an iniquitous exchange to make him purchase his life, to which one has no right, at the price of his liberty. Is it not clear that by establishing the right of life and death on the right of slavery, and the right of slavery on the right of life and death, one falls into a vicious circle?

Even assuming this terrible right to kill everyone, I claim that someone enslaved in war or a conquered people is bound by nothing at all where their master is concerned, other than to obey him as much as they are forced to do so. By accepting an equivalent for his life, the victor has not done him a favor, for instead of killing him without profit, he has killed him for his own use. And thus, it is far from the case that he has acquired any authority over him that is not linked to force, and the state of war continues between them as before. The very relationship between them is the effect of war, and using the right of war does not presuppose any treaty of peace. They have established a convention. That may well be so. But this convention, far from destroying the state of war, assumes its continuation.

Thus, however one examines the issue, the right of slavery is non-existent, not only because it is illegitimate, but also because it is absurd and signifies nothing. The words *slavery* and *right* are contradictory and mutually exclusive. Whether one man is speaking to another or one man is speaking to a people, the following statement will always be equally absurd: "I am making an agreement with you entirely at your expense and entirely to my advantage, which I will observe as long as it pleases me, and you will observe it as long as it pleases me."

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[1] Here the edition of 1782 adds the following passage: "The Romans, who had a better understanding of and a greater respect for the right of war than any nation on earth, carried their scruples about this matter so far that they did not permit a citizen to serve as a volunteer unless he had expressly committed himself against the enemy and against a particular named enemy. When a legion in which Cato the Younger was doing his first military service under the command of Popilius was being reconstituted, Cato the Elder wrote to Popilius that if he wanted his son to continue to serve under him, he would have to make him swear a new military oath, because, once his first oath was annulled, he could no longer bear arms against the enemy. And the same Cato wrote to his son to take care to present himself for combat only after he had sworn this new oath. I know that one could counter my argument with the siege of Clusium and other specific examples, but my concern is to cite laws and customs. The Romans were those least likely to transgress their own laws, and they are the only ones who have had such excellent legislation."

[2] *the right of conquest* Rousseau is likely responding to Grotius's *Rights of War and Peace*, 3.7.1–3 and Burlamaqui's *Principles of Natural Law*, 4.7.29–30.

Chapter 5
That It Is Always Necessary to Go Back to a First Agreement

Even if I were to concede everything I have refuted up to this point, the apologists for despotism would not have advanced their cause any further. There will always be a great difference between subduing a multitude and governing a society. If scattered individuals were successively enslaved to one man, no matter how many there might be, I still see nothing there but a master and slaves. I do not see a people and its leader. It is, if you will, an aggregation, but not an association. There is in it no public good and no body politic. Even if that man had enslaved half the world, he is still merely an individual. His interest, separate from the interest of the others, is always merely a private interest. If this same man happens to die, after he is gone his empire remains scattered and disconnected, as an oak tree, once fire has consumed it, collapses and dissolves into a heap of ashes.

A people, Grotius says, can give itself to a king.[1] According to him, therefore, a people is a people before it gives itself to a king. This gift is itself a civil act. It assumes a public deliberation. Hence, before examining the act by which a people chooses a king, it would be good to examine the act by which a people becomes a people. For since this act is necessarily prior to the former, it is the true foundation of society.

In fact, if there were no previous agreement, unless the election was unanimous, how would there be an obligation for the minority to submit to the choice of the majority? Where would the hundred people who want a master acquire the right to vote on behalf of the ten who do not? The law of majority vote is itself established by convention and presupposes unanimity on at least one occasion.

Chapter 6
On the Social Compact

I assume that men have reached the stage where the obstacles harmful to their preservation in a state of nature are winning out, because these obstacles resist the forces that each individual can employ in order to maintain himself in this condition. At that point, this primitive state can no longer continue, and the human race would die out if it did not change its way of life.

Now, since men are incapable of creating new forces but only of uniting and directing existing ones, they have no way of preserving themselves other than to form by aggregation a sum of their forces, something that could prevail over that resistance, then to bring these forces to bear by a single motive power and to make them work in concert.

This sum of forces cannot arise except through several people combining together. But since the power and liberty of each man are the principal instruments of his preservation, how will he commit them to others without harming himself and without neglecting the care he owes himself? If we apply this difficulty to my subject, we can define it in these terms:

"To find a form of association that defends and protects with full communal force the person and the possessions of each member and in which each person, by uniting with all, nevertheless obeys only himself and remains as free as before." Such is the fundamental problem to which the social contract provides the solution.

The clauses of this contract are determined by the nature of the act in such a way that the least modification renders them empty and ineffectual. As a result, even though they perhaps have never been formally stated, they are the same everywhere and are tacitly admitted and recognized everywhere, until the moment when, once the social pact has been violated, each person then returns to his original rights and resumes his natural liberty, losing the conventional freedom for which he renounced it.

These clauses, properly understood, all come down to one, that is, the total alienation of each member of the association, along with all his rights, to the entire community. For, first of all, since each person gives himself entirely, the condition is equal for all, and since the condition is the same for everyone, no one has an interest in making it burdensome for the others.

Furthermore, because the alienation is made without reservation, the union is as perfect as it can be, and no member of the association has any further demands. For, given that there would be no shared superior who could decide between particular members and the public, if individuals retained certain rights, each one would, on some point, be his own judge and would soon claim to be that in all things. The state of nature would remain, and the association would necessarily become tyrannical or pointless.

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[1] *A people ... a king* See Grotius's *Rights of War and Peace*, 2.5.17.

Finally, since each person gives himself to everyone, he gives himself to no one, and since there is no member of the association over whom he does not acquire the same right that he grants that person over himself, he gains the equivalent of everything he loses, as well as more power to preserve what he has.

If then we remove from the social pact what is not part of its essence, we will find that it is reduced to the following terms: *Each one of us puts his person and all his power in common under the supreme direction of the general will, and as a body we receive each member as an indivisible part of the whole.*

This act of association immediately replaces the individual personality of each member of the contract with a moral and collective body composed of as many members as there are voices in the assembly. From this same act, the assembly acquires its unity, its common *self,* its life, and its will. The public person produced in this way by the union of all the others in earlier days took the name of *city* and now bears the name of *republic* or *body politic.*[1] It is called the *state* by its members when it is passive, the *sovereign* when it is active, and a *power* when it is being compared to others like itself. So far as the members of the association are concerned, they take on collectively the name of *people,* calling themselves, as individuals, *citizens,* since they are participants in the sovereign authority, and *subjects,* since they submit to the laws of the state. These terms, however, are often confused and taken for one another. It is sufficient to know how to distinguish them when they are used with complete precision.

Chapter 7
On the Sovereign

We see in this formulation that the act of association contains a reciprocal commitment between the public and the individual, and that, by making a contract with himself, so to speak, each individual finds himself bound in a double relationship: that is, as a member of the sovereign towards each individual, and, as a member of the state, towards the sovereign. However, we cannot apply here that principle of civil law that no person is bound by commitments made to himself, for there is a significant difference between having an obligation to oneself and having an obligation to a whole of which one is a part.

We must also observe that public deliberations that can impose obligations on all subjects to the sovereign, given the two different relationships under which each citizen-subject is regarded, cannot, for the opposite reason, impose obligations on the sovereign to itself and thus that it is contrary to the nature of the body politic for the sovereign to impose a law on itself that it cannot break. Since the sovereign can view itself in terms of only one single relationship, it is then in the position of a particular individual making a contract with himself. From that we see that there is not and cannot be any sort of fundamental law imposing obligations on the body of the people, not even the social contract. That does not mean that this body cannot properly enter into undertakings with other political bodies concerning matters that do not violate this contract, for as far as foreigners are concerned, the body politic becomes a single entity, an individual.

But since the body politic or the sovereign derives its being only from the sanctity of the contract, it can never commit itself, even towards foreigners, to anything that violates this original act, for instance, by alienating some part of itself or by submitting itself to another sovereign. To violate the act by which it exists would be to annihilate itself, and what is nothing produces nothing.

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[1] *republic or body politic* [Rousseau's note] The true sense of this word has been almost entirely erased among the moderns. Most of them assume that a town is a city and that a bourgeois is a citizen. They do not understand that houses make a town but that citizens make a city. This same mistake cost the Carthaginians dearly in earlier days. I have never read of the title *citizens* being given to the subjects of any prince, not even in ancient times to the Macedonians nor, in our own times, to the English, although they are closer to liberty than anyone else. The French are the only ones who adopt this name of *citizens* with complete familiarity, because they have no true idea of its meaning, as we can see from their dictionaries. If they did, by usurping the word, they would be guilty of the crime of lèse-majesté. Among them, this name expresses a virtue and not a right. When Bodin wished to speak of our citizens and townspeople, he made a serious blunder in taking one group for the other. M. d'Alembert did not make this mistake, and in his article Geneva, clearly distinguished the four orders of men (even five, if one includes ordinary foreigners) who live in our town, only two of which comprise the republic. No other French author I know of has understood the true meaning of the word *citizen.*

As soon as this multitude is thus unified into a body, one cannot offend against one of its members without attacking the body; still less can one harm the body without its members feeling the effects. Thus, obligation and interest require the two contracting parties equally to provide mutual help to one another, and in this double relationship the same people should seek to combine all the advantages that depend on it.

Now, since the sovereign is composed only of individuals who make it up, it does not have and cannot have an interest contrary to theirs. Therefore, the sovereign power has no need to give its subjects a guarantee, because it is impossible that the body would want to harm all its members, and later on we shall see that it cannot harm any particular individual. From the very fact that it exists, the sovereign is always everything it ought to be.

However, it is not the same for the subjects with regard to the sovereign, since, despite their common interest, the sovereign would have no guarantee of their commitments unless it found ways of assuring itself of their loyalty.

In fact, each individual, as a man, can have a particular will at odds with or different from the general will that he has as a citizen. His particular interest can speak to him in an entirely different way from the common interest. His absolute and naturally independent existence can lead him to look on what he owes the common cause as a gratuitous contribution, the loss of which will be less injurious to the others than the payment is onerous to him, and by viewing the moral person who constitutes the state as a notional being, because he is not a man, he may want to enjoy the rights of a citizen without being willing to fulfill the duties of a subject, an injustice whose progress would lead to the ruin of the body politic.

Therefore, to ensure that the social pact is not an empty formula, it tacitly includes this commitment, which alone can give force to the others: whoever refuses to obey the general will shall be constrained to do so by the entire body. This simply means that he will be forced to be free. For that is the condition which, by giving each citizen to his native land, protects him from all personal dependency, a condition that makes the artifice and the working of the political machine, and which alone confers legitimacy on civil commitments—which would otherwise be absurd, tyrannical, and subject to the most enormous abuses.

Chapter 8
On the Civil State

This transition from the state of nature to the civil state produces in man a very remarkable change, by substituting justice for instinct in his conduct and by giving his actions a moral quality they previously lacked. Only then, when the voice of duty takes over from physical impulses and right takes the place of appetite does a man, who up to that point has considered only himself, see himself compelled to act on other principles and to consult his reason before listening to his inclinations. Although in this state he deprives himself of several of the advantages he derives from nature, those he gains in return are so great that his faculties are stimulated and developed, his ideas grow more extensive, his sentiments are ennobled, and his whole soul is uplifted, so much so that, if the abuses of this new condition did not often degrade him below the condition he left, he ought never to stop blessing the happy moment that tore him away from it forever, and that changed him from a stupid and limited animal into an intelligent being and a man.

Let us reduce this balance sheet to terms we can easily compare. Through the social contract, man loses his natural liberty and an unlimited right to everything which tempts him and which he is able to reach. What he wins is civil liberty and the ownership of everything he possesses. In order not to be mistaken about these compensations, we must make a clear distinction between natural liberty, which has no limits other than the powers of the individual, and ***civil liberty***, which is limited by the general will, and between ***possession***, which is merely a result of force or the right of the first occupant, and ***property***, which can be founded only on a positive title.

To the preceding we could add to those things a man acquires in the civil state moral liberty, which alone makes him truly master of himself. For following the impulses of mere appetite is slavery, while obeying the law that one has set down for oneself is liberty. But I have already said too much on this topic, and the philosophical meaning of the word *liberty* is not part of my subject here.

Chapter 9
On Real Property[1]

Each member of the community gives himself to it at the moment it is formed, just as he presently is, his person and all his powers, a part of which is the goods he possesses. This does not mean that through this act of changing hands, possession changes its nature and becomes property in the hands of the sovereign. However, since the forces of the city are incomparably greater than those of an individual, public possession is also, in fact, stronger and more irrevocable, without being more legitimate, at least from the point of view of foreigners. For where its members are concerned, the state is master of all their goods thanks to the social contract, which within the state serves as the basis for all rights. However, where other powers are concerned, the state is master only by the right of the first occupant, which it derives from particular individuals.

Although the right of the first occupant is more real than the right of the strongest, it does not become a true right until after the establishment of the right of property. Every man by nature has a right to everything that is necessary to him, but the positive act that makes him the owner of some goods excludes him from all the rest. Once his share is determined, he should limit himself to that; he has no further right with respect to the community. That is why the right of the first occupant—so weak in the state of nature—is respected by everyone in civil society. In this right, a person is respecting not so much what belongs to other people, as what does not belong to him.

Generally speaking, in order to authorize the right of first occupant over any territory, the following conditions must apply: first, this territory must not yet be inhabited by anyone; second, one must occupy only as much land as one requires to subsist; third, one must take possession of the land, not by an empty ceremony, but by toil and cultivation, the only sign of ownership which, when legal titles are not available, should be respected by others.

In fact, by according the right of first occupant to need and labor, are we not extending this right as far as it can go? Is it possible to assign this right without limits? Will it be sufficient to place one's foot on some common land in order to claim immediately that one is its master? Will it be sufficient to have the power to push other men aside for a moment in order to remove from them the right ever to return there? How can a man or a people seize an immense territory and take it away from the entire human race other than by a punishable usurpation, since such an act deprives the rest of humanity of the habitable places and the food that nature gives them in common? When Nuñez Balboa, standing on the seashore, took possession of the South Sea and all of South America in the name of the crown of Castille, was that enough to dispossess all the inhabitants there and to exclude from the region all the princes of the world? If so, it is quite pointless to multiply these ceremonies, and the Catholic king in his private rooms merely has to take possession all at once of the entire universe, provided he later removes from his empire what was possessed first by other princes.

We can conceive how the unified and contiguous lands of particular individuals become public territory and how the right of sovereignty, by extending from the subjects to the land they occupy, becomes at once real and personal. This process makes those who possess the land more heavily dependent and turns even their own forces into guarantees of their fidelity. This advantage does not seem to have been fully perceived by ancient monarchs, who called themselves only kings of the Persians, Scythians, or Macedonians, apparently considering themselves rulers of men rather than masters of countries. Today's rulers are more astute and call themselves kings of France, Spain, England, and so on. By thus holding the land, they are quite confident of holding its inhabitants.

What is significant about this alienation is that, by taking the goods of individuals, the community, far from depriving them, merely assures them of legitimate possession, for it changes usurpation into a genuine right and enjoyment into ownership. Thus, given that the possessors are considered agents of the public good and that their rights are respected by all the members of the state and maintained with all their forces against foreigners, these owners, by a surrender advantageous to the public and even more so to themselves, have, so to speak, acquired everything that they have given up. This paradox is easily explained by the distinction between the rights that the sovereign and the owner have over the same resources, as we will see later.

It can also happen that men begin to unite before they possess anything and then later take over a territory sufficient for all, which they enjoy in common or which they divide up among themselves, either equally or according to proportions determined by the sovereign. However this acquisition is accomplished, the right of each particular individual over his own land is always subordinate to the right of the community over everything, without which there would be no strength in the social bond and no real force in the exercise of the sovereignty.

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[1] *On Real Property* Here is the first appearance of the word *réel*: "*Du domaine réel.*" What it seems to mean is real property or real ownership of property, as opposed to mere possession in a state of nature, which is not real because everyone has a right to take it away by force.

I will end this chapter and this book with a comment that should serve as the foundation for the entire social system: instead of destroying natural equality, the fundamental pact, by contrast, substitutes for the physical inequalities which nature could have established among men a moral and legitimate equality, and people who could be unequal in power or intelligence all become equal by convention and by right.[1]

End of Book 1

Book 2

Chapter 1
That the Sovereignty Is Inalienable

The first and most important consequence of the principles established above is that only the general will can direct the forces of the state according to the end for which it was set up, that is, for the common good. For if the opposition of particular interests made the institution of societies necessary, the agreement among these same interests made it possible. What these different interests have in common creates the social bond, and if there were not some point on which all the interests were in agreement, no society could exist. Now, this common interest is the only basis on which society must be governed.

Therefore, I maintain that, since the sovereignty is nothing but the exercise of the general will, it can never be alienated, and that the sovereign, which is only a collective being, cannot be represented except by itself. The power can be readily transferred, but not the will.

In fact, if it is not impossible for a particular will to agree on some point with the general will, it is at least impossible for this agreement to be durable and constant, for the particular will tends by its nature towards things it prefers, and the general will towards equality. It is even more impossible to have a guarantee of this agreement, even if it should always exist. That would be a result, not of art, but of chance. The sovereign could well say, "I now will what such and such a man wills or at least what he says he wills," but it cannot say, "What this man is going to will tomorrow, I shall will as well," because it is absurd that the will gives itself fetters for the future and because no will is required to consent to anything contrary to the good of the one doing the willing. Thus if a people promises simply to obey, by that act it dissolves itself and loses its quality as a people. The instant there is a master, there is no longer a sovereign, and from that point on the body politic is destroyed.

This is not to say that orders from the leaders cannot pass for expressions of the general will, so long as the sovereign is free to oppose them and does not do so. In such a case, one should assume that universal silence indicates the consent of the people. This point will be explained in greater detail.

Chapter 2
That the Sovereignty Is Indivisible

For the same reason that the sovereignty is inalienable, it is indivisible. For either the will is general, or it is not.[2] It is the will of the body of the people or of merely a part. In the first case, this will, once declared, is an act of sovereignty and makes law. In the second case, it is only a particular will or an act by a magistrate, at most a decree.

But our political thinkers, unable to divide sovereignty in principle, divide it according to its aims—separating it into force and will, into legislative power and executive power, into rights of taxation, of justice and war, into internal administration and the power to deal with foreigners. Sometimes they mix all these parts together, and sometimes they separate them. They turn the sovereign into a fantastic entity made up of jumbled pieces. It is as if they were producing a man from several bodies, one of which had eyes, another arms, another feet, and nothing else. People say that Japanese conjurors dismember a child in full view of the spectators, then throw all its limbs into the air, one after the other, and make the child fall down again, alive and completely reassembled. The conjuring tricks of our political thinkers are almost like that: after they have dismembered the social body using an illusion worthy of a fair, they put the pieces back together again—no one knows how.

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[1] *instead of destroying … by right* [Rousseau's note] Under bad governments this equality is only apparent and illusory. It serves only to keep the poor man destitute and the rich man in the place he has usurped. In fact, laws are always useful to those who have possessions and harmful to those who have nothing. Hence, it follows that the social state is advantageous to people only to the extent that they all have something and that none of them has too much.

[2] *For either the will … is not* [Rousseau's note] In order for a will to be general, it is not always necessary for it to be unanimous, but it is necessary that all the votes be counted. Every formal exclusion breaks the generality.

This error arises because they have not established precise notions about sovereign authority, and because they have taken for parts of this authority things that were merely emanations from it. In this way, for example, they have looked upon the acts of declaring war and of making peace as acts of sovereignty, which they are not, for each of these actions is not a law but simply an application of the law, a particular act that determines how the law applies to a case, as we shall see clearly once the idea attached to the word *law* has been defined.

By exploring the other divisions in the same manner, we would find that every time we think we see the sovereignty split up, we are mistaken, and that the rights that we take for parts of this sovereignty are all subordinate to it and always assume supreme wills whose execution these rights merely authorize.

It would be impossible to state how much obscurity this lack of precision has cast over the decisions of those who have written about issues of political rights, when, by applying the principles they have established, they wished to judge the respective rights of kings and peoples. Everyone can see in Chapters 3 and 4 of the first book of Grotius how this learned man and his translator Barbeyrac get tangled up in and confused by their sophistries, for fear of saying too much or of not saying enough about something in accord with their ends and of offending the interests they had to accommodate. Grotius, unhappy with his homeland, was a refugee in France and wished to pay court to Louis XIII, to whom his book was dedicated. He spares no effort to rob the people of all their rights and to invest kings with them by every possible artifice. This would have also been much to Barbeyrac's taste;[1] he dedicated his translation to the king of England, George I. Unfortunately, however, the expulsion of James II, which he calls an abdication, forced him to restrain himself, to distort and to dance around the issue, so as not to make William a usurper. If these two writers had adopted genuine principles, all the difficulties would have been removed and they would have always been consistent. But they would have spoken the truth, sadly for them, and paid court only to the people. For truth does not lead to fortune, and the people do not award ambassadorships, or university chairs, or pensions.

Chapter 3
Whether the General Will Can Be Mistaken

From what has been said above it follows that the general will is always right and always tends towards public utility. However, it does not follow that the deliberations of the people are always equally correct. We always will our own good, but we do not always recognize it. A people is never corrupted, but it is often misled, and it is only then that it appears to will what is bad.

There is often a significant difference between the will of all and the general will. The latter considers only the common interest; the former considers private interest and is merely a sum of particular wills. But remove from these same wills the pluses and minuses which cancel each other out, and what remains as the sum of the differences is the general will.[2]

If, when the people are sufficiently informed and deliberate, and the citizens had no communication among themselves, the general will would always result from the large number of small differences, and the deliberation would always be good. But when intrigues are launched, partial associations at the expense of the large one, the will of each of these associations becomes general with respect to its members and particular with respect to the state. At that point one could say that there are no longer as many voters as there are men, but only as many as there are associations. The differences become less numerous and provide a less general result. Finally, when one of these associations is so great that it wins out over all the others, you no longer have a result that is the sum of small differences, but a single difference. Then there is no longer a general will, and the prevailing view is only a particular opinion.

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[1] *Barbeyrac's taste* Jean Barbeyrac (1674–1744) was an influential natural law theorist and translator of Grotius's works into French.

[2] *the general will* [Rousseau's note] *Each interest,* states the Marquis d'Argenson, *has different principles. The agreement of two particular interests is created by opposition to a third.* He could have added that the agreement of all interests is created by opposition to the interest of each. If there were no different interests, we would hardly perceive the common interest, which would never encounter an obstacle. Everything would proceed on its own, and politics would cease to be an art.

Therefore, in order to have a clear statement of the general will, it is important that there be no partial society within the state and that each citizen express only his own opinion.[1] Such was the unique and sublime system of the great Lycurgus.[2] However, if there are partial societies, it is necessary to multiply their number and prevent them from becoming unequal, as did Solon, Numa, and Servius.[3] These precautions are the only good ones to ensure that the general will is always enlightened and that the people do not make mistakes.

Chapter 4
On the Limits of the Sovereign Power

If the state or the city is simply a moral person whose life consists of the union of its members, and if the most important of its concerns is taking care of its own preservation, it requires a universal and compelling force to move and arrange each part in the manner most advantageous to the whole. As nature gives each man an absolute power over all his limbs, the social pact gives the body politic an absolute power over all its members, and it is this same power that, directed by the general will, bears, as I have said, the name of sovereignty.

But apart from the public person, we have to consider the private persons who comprise it, and whose life and liberty are naturally independent of it. One must thus clearly distinguish between the respective rights of the citizens and of the sovereign, and between the obligations that the former must carry out as subjects and the natural right they should enjoy as men.[4]

I concede that in the social pact each man alienates only as much of his power, goods, and liberty as it is important for the community to have at its disposal, but one must also acknowledge that the sovereign is the sole judge of what is important.

All the services that a citizen can render the state, he has an obligation to provide to it as soon as the sovereign asks for them. But the sovereign, for its part, cannot impose on the subjects any fetters that are useless to the community. It cannot even will to do so, for according to the law of reason, nothing takes place without a cause, any more than it does under the law of nature.

The commitments binding us to the social body are obligatory only because they are mutual, and their nature is such that in fulfilling them one cannot work for another without working for oneself, as well. Why is the general will always right, and why does everyone constantly will the wellbeing of each of them, if not because there is no one who does not apply that word *each* to himself and who does not think of himself as he votes for them all? This demonstrates that the equality of right and the concept of justice it produces stem from the preference each person has for himself and thus from the nature of man; that for the general will to be truly general it must be so in its aims as well as in its essence; that it must originate from all in order to be applied to all; and that it loses its natural rectitude when it tends towards some individual and determinate purpose, because then, when we are rendering judgment on something foreign to us, we have no true principle of equity to guide us.

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[1] *Therefore … own opinion* [Rousseau's note] *The truth is,* says Machiavelli, *some divisions harm the republic, and others benefit it. When they are accompanied by sects and partisan groups they are harmful, but those without sects and partisan groups are advantageous. Since the founder of a republic cannot prevent the emergence of enmities within it, he should at least stop them growing into factions.* (*History of Florence*, Book 7). [Rousseau quotes the Italian.]

[2] *Lycurgus* The celebrated lawgiver in ancient Sparta. According to one of Rousseau's favorite texts, Plutarch's *Lives,* his services were required in times of "extreme inequality" in Sparta, where the state was "overloaded with a multitude of indigent and necessitous persons while its whole wealth had centered upon a few." To solve this problem, Lycurgus redistributed the property so that "they should live all together on an equal footing" (Plutarch, Vol. I, 59). Rousseau views him as a model lawgiver and will refer to him as such in Book 2, Chapter 7, as well as in his *Government of Poland.*

[3] *Solon, Numa, and Servius* Like Lycurgus, Rousseau regards Solon, Numa, and Servius to be model lawgivers. The ancient Athenians recruited Solon to confront their own inequality crisis. Plutarch characterizes it this way: "the disparity of the fortune between the rich and the poor, at that time, … reached its height; so that the city seemed to be in a truly dangerous condition" (Plutarch, Vol. 1, 114). Numa and Servius were both kings and lawgivers in the early days of Rome. Plutarch describes Numa as less concerned about inequality than Lycurgus, for example, but nevertheless committed to providing religious foundations for Rome, as well as being "democratic and popular to the last extreme" (Plutarch, Vol. 1, 103), which might have appealed to Rousseau's sensibilities. Servius followed nearly a century later as king of Rome and is most noted today for having established the Roman classes. Rousseau will review Servius's innovations in Book 4, Chapter 4.

[4] *One must thus … as men* [Rousseau's note] Attentive readers, please do not be in a hurry here to accuse me of contradiction. I was unable to avoid that in my terms, given the poverty of language. But wait.

Indeed, as soon as it is a question of a fact or of a particular right in a matter that has not been regulated by a previous general agreement, the issue becomes contentious. It is a case in which the particular interests are one of the parties and the public the other, but where I do not see either the law which must be followed or the judge who should rule. In such a case, it would be ridiculous to wish to refer the question to an express decision of the general will, which can only be the conclusion of one of the parties and which, for the other party, is therefore merely a particular and alien will, one tending on this occasion to injustice and subject to error. And so, just as a particular will cannot represent the general will, the general will, in its turn, changes its nature when it has a particular object and, since it is general, cannot pronounce either on a man or on a fact. For example, when the people of Athens nominated or demoted its leaders, proclaimed honors for one, imposed penalties on another, and with a multitude of particular decrees carried out indiscriminately all the actions of government, at that time the people no longer had a general will, in the strict sense, for it was no longer acting as a sovereign but as a magistrate. This will appear contrary to commonly held ideas, but I must be given time to set down my own.

From these points one should realize that what makes the will general is not so much the number of votes as the common interest which unites them. For in this institution, each person necessarily submits himself to the conditions which he imposes on the others, an admirable agreement between interest and justice, which gives to the common deliberations an equitable character that disappears in a discussion of any particular issue, given the lack of a common interest which unites and identifies the ruling of the judge with that of the party.

From whatever side we return to this principle, we always reach the same conclusion, namely, that the social pact establishes among the citizens such equality, that they all commit themselves to the same conditions and should all enjoy the same rights. Thus, by the nature of the pact, each act of sovereignty, that is to say, every authentic act of the general will, imposes obligations on or favors all the citizens equally. Hence, the sovereign recognizes only the body of the nation and makes no distinctions among any of those who compose it. What, then, strictly speaking, is an act of sovereignty? It is not a convention between a superior and an inferior, but a convention between a body and each one of its members. It is a legitimate convention, because it is founded on the social contract, equitable, because it is common to all, useful, because it can have no purpose other than the general good, and firm, because it is guaranteed by public force and the supreme power. As long as the subjects are bound solely to conventions like this, they are not obeying anyone other than their own will. And to ask how far the respective rights of the sovereign and of the citizens extend is to ask how far the latter can commit themselves to themselves, each person to all and all to each.

We see from this that the sovereign power, wholly absolute, wholly sacred, and wholly inviolable as it is, does not and cannot exceed the limits of general conventions, and that every man is fully capable of disposing of what these conventions have left him of his goods and his liberty, so that the sovereign never has the right to impose more on one subject than on another, because then, when the issue becomes particular, the sovereign's power is no longer competent.

Once we have acknowledged these distinctions, it is altogether wrong to claim that in the social contract there is any genuine renunciation on the part of individuals, so much so that their situation, as a result of this contract, is actually preferable to what it was previously and that, rather than an alienation, they have only made an advantageous exchange of an uncertain and precarious way of life for a better and more secure alternative, trading natural independence for liberty, power to harm others for their own security, and their own strength, which others can overwhelm, for a right that the social union makes invincible. Their very life, which they have dedicated to the state, is constantly protected by it, and when they risk their lives in its defense what are they doing then other than giving back to the state what they have received from it? What are they doing that they would not be doing more frequently and more dangerously in the state of nature, when they would be fighting inevitable battles and putting their lives in peril to defend what serves to preserve them? Everyone must fight when the homeland needs him, that is true. But it is also true that no one ever has to fight for himself. Where our security is concerned, do we not still gain by running some of the risks we would have to run on our own as soon as it was taken away from us?

Chapter 5
On the Right of Life and Death

Since individuals have no right to take their own lives, one may ask: how can they transfer this same right, which they do not possess, to the sovereign? This question appears difficult to resolve only because it is poorly framed. Each man has the right to risk his own life in order to preserve it. Has anyone ever claimed that a person who throws himself out of a window to escape a fire is guilty of suicide? Has this same criminal charge ever been laid against someone who perishes in a storm at sea, on the ground that when he embarked he was not ignorant of the danger?

The purpose of the social treaty is the preservation of those making the contract. A person who wills an end also wills the means, and these means are inseparable from certain risks, even a few losses. He who wishes to preserve his life at the expense of others should also give his life for them when the need arises. Now, the citizen is no longer the judge of the peril which the law wishes him to face, and when the prince has said to him, "It is in the state's interest that you die," he should die, for it is only on that condition that he has lived in security up to that point, and his life is no longer merely a bountiful gift of nature but also a conditional gift of the state.

The death penalty imposed on criminals can be viewed more or less in the same way: in order not to be the victim of an assassin, we agree to die if we become one. In this social treaty, far from disposing of his life, a person thinks only of protecting it, and we should not assume that any of those agreeing to the contract is intending at the time to get himself hanged.

Furthermore, every wrongdoer, by attacking social right, becomes, as a result of his crimes, a rebel and a traitor to his homeland. He ceases to be a member of it by violating its laws; he even wages war against it. At that point, the preservation of the state is incompatible with his own. One of the two must perish, and when we put the guilty person to death, he is not so much a citizen as an enemy. The trial and the sentence are the proof and the declaration that he has broken the social treaty and is thus no longer a member of the state. Now, since he has acknowledged that that is what he was, at least by living there, he should be removed from it by exile, as someone who has violated the social pact, or by death, as a public enemy. For an enemy like him is not a moral person. He is a man, and in such a case it is a right of war to kill the vanquished.

But, someone will say, condemning a criminal is a particular act. Granted. But this condemnation is also not a function of the sovereign. It is a right that the sovereign can confer without the power to exercise it on its own. All my ideas cohere, but I cannot set them down all at once.

We should add that frequent harsh punishment is always a sign of weakness or laziness in the government. There is no wrongdoer who could not be made good for something. We have no right to put anyone to death, even as an example, other than a person whom we cannot preserve without danger.

As far as the right to pardon is concerned, or to exempt a guilty person from the punishment imposed by the law and pronounced by the judge, it belongs only to the one who is above the judge and the law, that is to say, to the sovereign, although its right in this matter is not at all clear, and the cases where it is used are extremely rare. In a well-governed state, there are few punishments, not because it issues plenty of pardons, but because there are few criminals. When the state is growing weak, the multitude of crimes is a guarantee of impunity. Under the Roman Republic, neither the Senate nor the consuls ever tried to grant pardons. Even the people did not do so, although it sometimes revoked it own judgments. Frequent pardons declare that soon criminal acts will no longer need them, and everyone sees where that leads. But I feel my heart murmuring and I restrain my pen. Let us leave the discussion of these questions to the just man who has not done wrong and who has never himself had need of a pardon.

Chapter 6
On the Law

With the social pact we have provided existence and life to the body politic. It is now a matter of giving it, through legislation, movement and will. For the original act by which this body is formed and united still does not establish any of those things that need to be done to preserve it.

What is good and conforms to order is so by the nature of things, independent of human conventions. All justice comes from God. He alone is its source. But if we knew how to accept justice from such a lofty place, we should need neither government nor laws. Undoubtedly there is a universal justice that emanates from reason alone, but in order for this justice to be admitted among us, it must be reciprocal. If we consider things from a human perspective, because we lack a natural sanction, the laws of justice are ineffectual among men. All they achieve is the good of the wrongdoer and troubles for the just, when the latter observes the laws with everyone, but no one observes them with him. Consequently, we must have conventions and laws to unite rights with duties and to lead justice back to its object. In the state of nature, where everything is common, I do not owe anything to those to whom I have promised nothing, and I recognize as someone else's possession only what is of no use to me. That is not the case in a civil state, where all rights are fixed by law.

But what then, in the final analysis, is a law? As long as we are content to attach nothing to this word but metaphysical ideas, we will continue to argue without agreement, and when we have declared what a law of nature is, we will, for all that, have no better understanding of what a law of the state is.

I have already remarked that there is no general will in a matter concerning a particular object. In effect, this particular object is either within the state or outside it. If it is outside the state, an alien will is not general in relation to it; and if this object is within the state, it is part of the state. In that case, there is created between the whole and its part a relation that produces two separate beings: one of them is the part, and the other is the whole minus this very part. But the whole minus a part is not a whole, and as long as this relationship continues, there is no longer a whole but two unequal parts. From this it follows that the will of one is no longer general with respect to the other.

But when an entire people delivers a ruling concerning all the people, it is considering only itself, and if at that time a relationship is created, it is between the entire object seen from one point of view and the entire object seen from another point of view, without any division of the whole. In such a case, the matter about which the rule is established is general, as is the will that creates it. This is the act I call a law.

When I say that the object of the laws is always general, I mean that the law considers the subjects as a body and actions in the abstract; it never considers a man as an individual or a particular action. Hence, the law can readily decree that there will be privileges, but it cannot confer these on anyone by name; the law can create several classes of citizens and even designate the qualifications that give people the right to belong to these classes, but it cannot nominate this or that person for admittance to them; it can establish a monarchical government and a hereditary succession, but it cannot choose a king or nominate a royal family. In a word, no function linked to an individual object is part of the legislative power.

With this idea in mind, we see at once that we no longer need to ask whose role it is to make laws, since they are acts of the general will; or whether the prince is above the laws, since he is a member of the state; or whether the law can be unjust, since no one is unjust to himself; or how we are free and subject to laws, since they are merely registers of what we have willed.

We also see that because the law combines the universality of the will with that of the object, what a man, whoever he may be, orders on his own initiative is not a law. Even something the sovereign commands concerning a particular object is no closer to a law, but is a decree. It is an act, not of the sovereignty, but of the judiciary.

Thus, I call every state ruled by laws, no matter what form its administration may be, a republic. For only then does the public interest govern and the public entity become something real. Every legitimate government is republican.[1] I will explain later what government is.[2]

The laws, strictly speaking, are only the conditions of the civil association. The people who are subject to the laws ought to be their author.[3] Society belongs only to those who have come together to rule on its conditions. But how will they regulate these conditions? Will that be by common agreement, by a sudden inspiration? Does the body politic have an organ for announcing what it wills? Who will give it the foresight it requires to formulate and publicize its acts in advance, or how will it make them known when the need arises? How would a blind multitude, which often does not know what it wants, because it rarely knows what is good for it, carry out all on its own such an enormous and such a difficult enterprise as a system of legislation? By itself, a people always desires what is good, but by itself it does not always see what that is. The general will is always right, but the judgment which guides it is not always enlightened. It must be made to see objects as they are, sometimes as they ought to appear to it, to show it the good road it seeks and to protect it from the seduction of particular wills. It must be given a better sense of places and times, to weigh the attractions of present perceptible advantages against the danger of distant and hidden evils. Individuals see the good they reject; the public wills the good it does not see. They are all equally in need of guides. The former must be compelled to make their wills conform to their reason, and the latter must be taught to recognize what it wills. Then, as a result of this public enlightenment, in the social body there will be a union of the understanding and the will, leading to a precise coordination of the parts, and finally to the greatest strength of the whole. From all this arises the necessity of a lawgiver.

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[1] *republican* [Rousseau's note] By this word I do not mean merely an aristocracy or a democracy, but in general every government guided by the general will, which is the law. To be legitimate, the government does not have to be merged with the sovereign, but it has to be the sovereign's minister. In that case, even a monarchy is a republic. This point will be explained in the book that follows.

[2] *what government is* See *SC*, Book 3, Chapter 1.

[3] *The laws … their author* In a letter written within months of the release of the *Social Contract*, Rousseau wrote that this doctrine of popular sovereignty was one of the work's two main principles (Lettre à Mézières).

Chapter 7
On the Lawgiver

To discover the best rules for society, those suited for nations, it would be necessary to have a superior intelligence who perceived all the passions of men and experienced none of them, one who had no connection to our nature and yet understood it completely, whose happiness would have to be independent of us, and yet who would have to be entirely willing to involve himself with ours. Finally, it would have to be one who, in the progress of time, by managing things carefully for its own distant glory, could work in one age and enjoy itself in another.[1] Gods would be needed to give laws to men.

The same reasoning that Caligula used in arguing about the facts, Plato used in his work *The Statesman* about right, in order to define what he was looking for, the civil or royal man. But if it is true that a great prince is a rare being, how rare will a great lawgiver be? The former only has to follow the model that the latter has to propose for him. The lawgiver is the engineer who invents the machine; the prince is merely the worker who sets it up and makes it work. "When societies are born," Montesquieu states, "it is the leaders of republics who create institutions, and after that it is institutions that make the republic's leaders."[2]

Anyone who ventures to take on the task of instituting a people must feel that he is, so to speak, in a position to change human nature; to transform each individual, who by himself is a perfect and solitary whole, into part of a greater whole from which this individual in some way receives his life and his being; to alter the man's constitution in order to reinforce it; to substitute a partial and moral existence for the physical and independent existence we have all received from nature. In a word, he must remove from the man his own powers in order to provide him ones which are foreign to him and which he is incapable of using without the help of others. The more these natural forces die off and are destroyed, the greater and more durable are the ones he acquires, and the more solid and perfect the institution is as well. As a result, if each citizen is nothing and cannot do anything except with all the others, and if the strength acquired by the whole is equal or superior to the sum of the natural forces of all the individuals, we can say that the legislation is at the highest point of perfection it can attain.

The lawgiver is, in every respect, an extraordinary man in the state. If that is what he must be thanks to his genius, he is no less so thanks to the work he does, which is not that of a magistrate or of the sovereign. This office, which constitutes the republic, does not enter into its constitution. It is a particular and superior function with nothing in common with empire over human beings. For if a person who commands men should not command the laws, then the person who commands the laws should not issue orders to men. Otherwise his laws, ministers of his passions, would often serve merely to perpetuate his injustices, and he would never be able to prevent particular opinions from damaging the sanctity of his work.

When Lycurgus gave laws to his homeland, he began by abdicating the kingship. It was the custom of most Greek city-states to entrust the establishment of their laws to foreigners. Modern republics in Italy have often imitated this practice. The republic of Geneva did the same, and found it did well.[3] In its finest period Rome witnessed within the state a rebirth of all the crimes of tyranny and saw itself nearing destruction because it had put legislative authority and sovereign power together in the same hands.

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[1] *Finally ... another* [Rousseau's note] A people only become famous when its legislation begins to decline. We do not know for how many centuries the institution of Lycurgus made the Spartans happy before the rest of Greece took notice of them.

[2] *When societies ... leaders* Charles-Louis de Secondat, Baron de Montesquieu (1689–1755), *Grandeur et décadence des Romans*, Chapter 1.

[3] *The republic ... well* [Rousseau's note] People who think of Calvin merely as a theologian have a poor grasp of the extent of his genius. The drafting of our wise edicts, in which he played

However, the *decemvirs*[1] never arrogated to themselves the right to have any law passed on their authority alone. "Nothing of what we propose to you," they used to say to the people, "can pass into law without your consent. Romans, be yourselves the authors of the laws which ought to create your happiness."

Thus the person who draws up the laws does not have or should not have any right to legislate, and a people cannot deprive itself of this incommunicable right, even if it wishes to, because according to the fundamental pact, it is only the general will that imposes obligations on individuals and because we can never be certain that a particular will conforms with the general will until we have submitted it to the free votes of the people. I have already stated that, but it is worth repeating.

And so in the task of drafting legislation we find simultaneously two apparently incompatible things: an enterprise which is beyond human powers and, to carry it out, an authority which is no authority.

Another difficulty warrants attention. Wise men who wish to use their own language rather than popular speech to communicate with common men would be incapable of making themselves understood. For there are thousands of kinds of ideas that cannot be translated into the language of the people. Views that are too general and objects that are too far away are equally beyond its grasp. Each individual, having no taste for any form of government other than the one that relates to his own particular interest, has difficulty recognizing the advantages he is to derive from the continual privations imposed by good laws. In order for an emerging people to be capable of appreciating the sound principles of politics and to follow the fundamental rules of statecraft, the effect would have to become the cause. The social spirit, which should be the work of the institution, would have to preside over the institution itself, and, before there were the laws, men would have to be what they are to become thanks to those laws. Thus the lawgiver, unable to use force or reason, must have recourse to an authority of a different order, something that can constrain without violence and persuade without convincing.[2]

That is what in every age has forced the fathers of nations to resort to heavenly intervention and to credit the gods with their own wisdom, so that the people, subject to the laws of the state as to the laws of nature, and acknowledging the same power in the creation of man and of the city, freely obey and dutifully bear the yoke of public happiness.

This sublime reasoning, that ascends beyond the reach of common men, is the one through which the lawgiver puts his decisions into the mouth of the immortals, so that those whom human prudence cannot shake will be drawn in by divine authority.[3] But not every man can make the gods speak or be believed when he announces he is their interpreter. The great soul of the lawgiver is the true miracle that must prove his mission. Any man can engrave stone tablets, or purchase an oracle, or pretend to have secret dealings with some divinity, or train a bird to speak in his ear, or find other crude ways of impressing the people. The one who knows nothing but such things will perhaps be able to collect by chance a troop of fools, but he will never found an empire, and his extravagant achievement will soon die with him. Empty ruses create a passing bond; wisdom alone can make it lasting. Judaic law, which still endures, and the law of the child of Ishmael, which has governed half the world for ten centuries, still proclaim today the great men who dictated them, and while proud philosophy or the blind spirit of sectarianism sees in these men nothing but fortunate imposters, the true political thinker admires in

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a major role, does him as much honor as his Institutes. Whatever revolution time may bring in our religion, so long as love of homeland and of liberty is not extinguished among us, this great man's memory will never cease to be a blessing.

[1] *decemvirs* Members of a ten-person legislative body in fifth-century Rome who worked to reconcile differences between patricians and plebeians. The body of decemvirs, however, was dissolved in 449 BCE, when they themselves became tyrannical. See also *SC*, 3.18 and 4.6.

[2] *Thus the lawgiver … convincing* Rousseau first employs this phrase in his *Essay on the Origins of Language*. For Montesquieu, the lawgiver's efforts to "persuade without convincing" can be addressed to persons across national boundaries, and can be undertaken by authors in relation to their readers, as well as by political and religious leaders. Montesquieu's examples of such figures include, among others, Machiavelli. See *The Spirit of the Laws*, vol. II, Chapter 29.

[3] *divine authority* [Rousseau's note] *And in truth*, says Machiavelli, *there has never been, among any people, an extraordinary codifier of laws who did not have recourse to God, because without that his laws would not have been accepted. For a prudent man is aware of many beneficial things which do not, in themselves, contain clear reasons which make them capable of convincing others.* Discourses on Titus Livy, Book 1, Chapter 11. [Rousseau quotes the Italian.]

what they established that great and powerful genius which presides over enduring institutions.

From all of this we should not conclude, with Warburton,[1] that among us politics and religion have a common object, but rather that in the early years of a nation one serves as an instrument for the other.

Chapter 8
On the People

As the architect, before raising a large edifice, examines and tests the soil, in order to see if it can bear the weight of the structure, so the wise institutor does not begin by drawing up laws good in themselves; instead, he first examines whether the population for whom they are intended is equipped to support them. That was the reason Plato refused to give laws to the Arcadians and to the Cyrenians. He knew that these two peoples were rich and could not tolerate equality. That is also why one sees good laws and bad men in Crete, because Minos had imposed discipline on nothing but a vice-riddled people.

A thousand nations that were incapable of tolerating good laws have enjoyed an earthly brilliance, and even those who could have endured them would have been able to do so for only a very short period of their existence. Peoples, like men, are docile only when they are young.[2] As they grow older, they become incorrigible. Once customs have been established and prejudices have taken root, it is a dangerous and futile business to wish to reform them. The people cannot bear even having someone touch their faults in order to get rid of them, like those stupid and cowardly invalids who tremble at the sight of a doctor.

That does not mean that in the life of a state there are not sometimes violent epochs when revolutions, like some illnesses which overturn men's minds and remove their memory of the past, do to the people what certain critical events do to individuals, when a horror of the past takes the place of forgetting, and when the state, set ablaze by civil wars, is, so to speak, reborn from its own ashes and, eluding death's embrace, recaptures the vigor of youth. Sparta was like that at the time of Lycurgus, as was Rome after the Tarquins and, in our own times, Holland and Switzerland after the expulsion of the tyrants.

But these events are rare. They are exceptions whose cause is always found in the particular constitution of the state concerned. They cannot take place even twice for the same people. For a people can make itself free as long as it is barbarous, but it can no longer do that once its civic mainsprings are exhausted. In such a case, troubles can destroy the state, without revolutions being able to re-establish it, and as soon as its chains are broken, it falls apart and no longer exists. From then on it requires a master and not a liberator. Free peoples, remember this precept: Liberty can be attained, but it can never be recovered.[3]

For nations, as for men, there is a time of maturity which one must await before subjecting people to laws.[4] But the maturity of a people is not always easy to recognize, and if one anticipates it, the work is ruined. One people can be disciplined while emerging; another is not disciplined after ten centuries. The Russians will never be truly civilized because they were civilized too soon. Peter [the Great] had a genius for imitation, but lacked true genius, the kind that creates and makes everything out of nothing. Some of the things he did were good, most were out of place. He saw that his people were barbarous. He did not see that they were not ripe for civilization. He wanted to civilize them when the only thing necessary was to toughen them. At first he wanted to create Germans and Englishmen, when he had to begin by creating Russians. By convincing his subjects they were something they were not, he prevented them from ever becoming what they could have been. This is the way a French private tutor trains his pupil to shine brilliantly for a moment in his infancy and then never amount to anything. The Russian Empire will want to conquer Europe and will itself be conquered. The Tartars, its subjects or its neighbors, will become its masters and ours. This revolution seems to me inevitable. All the kings of Europe are working together to hasten it.

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[1] *Warburton* William Warburton (1698–1779), Anglican bishop and religious writer.

[2] *Peoples, like men … young* In the edition of 1782, this sentence reads: "Most peoples, like men, …"

[3] *Liberty … recovered* Rousseau is here echoing Machiavelli, *Discourses*, 1.17.

[4] *For nations … laws* In the edition of 1782, this sentence reads: "Youth is not infancy. For nations, as for men, there is a period of youth or, if you will, of maturity. One must wait for this …"

Chapter 9
[On the People] (continued)

As nature has set limits to the stature of a well-developed man, beyond which she creates only giants or dwarfs, so in the same way, where the best constitution of a state is concerned, there are limits to the size it can have, so that it is neither too large to be capable of being well governed, nor too small to be capable of maintaining itself on its own. In every political body there is a *maximum* strength which it cannot exceed and which it often reduces by increasing in size. The more the social bond expands, the more it relaxes, and, in general, a small state is proportionally stronger than a large one.

A thousand reasons demonstrate this principle. First of all, when long distances are involved, administration becomes more difficult, just as a weight becomes heavier at the end of a longer lever. It also becomes more onerous as its levels increase, for, to begin with, each town has its own, paid for by the people, each district has its own, also paid for by the people, after that each province, then the large governing bodies—the satrapies, the vice-regal districts—the higher one goes, the more one always has to pay, always at the expense of the unfortunate people. Finally comes the supreme administration, which crushes everyone. So many surcharges constantly wear down the subjects. Far from being better governed by all these different levels, they are ruled worse than if they had over them only a single administration. In the meantime, there are hardly any resources to deal with emergencies, and when they must turn to them, the state is always on the eve of ruin.

That is not all. Not only is the government less energetic and less prompt in enforcing observance of the laws, preventing irritations, correcting abuses, and preventing seditious enterprises that can develop in distant locations, but the populace has less affection for its leaders, whom it never sees, for the homeland, which, in its eyes, is like the world, and for its fellow citizens, most of whom are strangers. The same laws cannot be appropriate for so many different provinces with dissimilar customs, live under very different climates, and cannot tolerate the same form of government. Different laws create nothing but trouble and confusion among peoples living under the same leaders and in constant communication. They intermingle and intermarry, are subjected to other customs, and never know whether their patrimony is truly their own. Talents are buried, virtues ignored, and vices unpunished in this multitude of people unknown to one another whom the seat of the supreme administration gathers together in one place. Overwhelmed with business, the leaders see nothing for themselves, and clerks govern the state. Finally, those measures which must be adopted to maintain the general authority, which so many distant officials wish to evade or meddle with, absorb all the attention of the public, and there is nothing left for the happiness of the people and scarcely any for its defense in time of need. Thus, a body too large for its constitution collapses and dies, crushed under its own weight.

On the other hand, the state should give itself a certain foundation in order to have solidity, to withstand the tremors it will inevitably experience and the efforts it will be forced to make to maintain itself. For all peoples have a kind of centrifugal force thanks to which they are constantly working against one another and tending to expand at the expense of their neighbors, like the vortices of Descartes.[1] In this way, the weak run the risk of being soon swallowed up, and it is almost impossible for any one of them to preserve itself, except by establishing between it and all the others some form of equilibrium, which makes the pressure on all sides just about equal.

From this we see that there are reasons to expand and reasons to contract, and finding the proportion between the two most advantageous for the preservation of the state is not the least of the political figure's talents. In general, we can say that the arguments for expansion, which are merely external and relative, ought to be subordinate to the arguments for contraction, which are internal and absolute. A healthy and strong constitution is the first thing one must look for, and one should rely more on the vigor born from a good government than on the resources provided by a large territory.

One might add that we have seen states established in such a way that the need to conquer made its way even into their constitution and that, in order to maintain themselves, they were forced continuously to expand. Perhaps they congratulated themselves a great deal for this fortunate necessity, which nonetheless showed them, along with the limits of their greatness, the inevitable moment of their fall.

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[1] *vortices of Descartes* Rousseau is referring to Descartes's influential theory of vortices as outlined in Part III of his *Principles of Philosophy*.

Chapter 10
[On the People] (continued)

One can measure a body politic in two ways, namely, by the extent of its territory and by the size of its population, and between these two measurements there is an appropriate relationship for providing the state its true greatness. People make the state, and the land nourishes the people. The proper relationship, therefore, is one in which the land is sufficient to maintain its inhabitants and there are as many inhabitants as the land can sustain. It is in this proportion that the *maximum* strength of a given number of people is found. For if there is too much land, guarding it is onerous: it is inadequately cultivated, and it produces a surplus. This is the proximate cause of defensive wars. If there is not enough land, the state finds itself relying on its neighbors for its additional needs. And this is the proximate cause of offensive wars. Any population that, given its position, has no alternative other than commerce or war is inherently weak. It depends upon its neighbors, and it depends upon events. It never has anything other than an uncertain and short existence. Either it subjugates and changes the situation, or it is subjugated and becomes nothing. It can preserve its freedom only by being insignificant or great.

It is impossible to provide by calculation a fixed relationship between the extent of territory and the number of people that makes them mutually appropriate, both because of the differences in the quality of land, the degree of its fertility, the nature of what it produces, and the influence of climate—and because of the differences one notices in the temperaments of the people who inhabit the land, some of whom consume little in a fertile country, others a great deal on a poor soil. One must also take into account the greater or lesser fecundity of women, the things the country can have which are more or less favorable to the population, and the number of people the lawgiver can hope to bring together there through his institutions. As a result, he should not base his judgment on what he sees but on what he foresees, nor should he focus on the actual state of the population as much as on what it should naturally attain. Finally, there are a thousand situations where the particular features of a place demand or allow one to include more territory than seems necessary. Thus, one would extend it a great deal in mountainous country, where nature's productions—that is, woods and pastures—demand less work, where experience shows that women are more fertile than on the plains, and where a large tract of sloping soil provides only a small area of flat land, the only one that can be counted on for vegetation. By contrast, populations can contract by the edge of the sea, even among rocks and almost barren sands, because for them fishing can compensate, in large part, for the lack of land crops and because people need to be closer together to ward off pirates. In addition, it is easier, thanks to colonies, to relieve the land of its surplus inhabitants.

To these conditions for establishing a people, we must add one that cannot make up for any of the others but without which they are all useless, and that is that the people enjoy abundance and peace. For the period when a state is being organized is like the moment when a battalion is moving into formation—at that moment the body is least capable of resisting and most easily destroyed. Resistance is more effective in absolute disorder than during a moment of fermentation, when each person is concerned about his own position and not about the danger. If war, famine, or sedition occurs during this time of crisis, the state is inevitably overthrown.

This does not mean that many governments have not been established during these storms, but in such cases it is the governments themselves that destroy the state. Usurpers always bring with them or choose these troubled times and take advantage of the public alarm to get destructive laws passed, which the people would never adopt were their minds calm. The choice of timing for establishing laws is one of the most reliable criteria by which one can distinguish the work of a lawgiver from that of a tyrant.

Which people, then, is well-suited for legislation? A population that finds itself already linked by some unity of origin, interest, or convention and has not yet borne the genuine yoke of laws; one that does not have deeply rooted customs or superstitions, that has no fear of being overwhelmed by a sudden invasion, and that, without entering into its neighbors' quarrels, can resist each of them on its own or obtain the assistance of one to fight off another; one in which each member can be known to all, and where there is no need to load a man with a burden greater than one man can bear; one that can get along without other people and that all other people can get along without;[1]

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[1] *one that can get along ... without* [Rousseau's note] If there were two neighboring peoples and one could not do without the other, the situation would be very difficult for the first and very dangerous for the second. Every wise nation, in a similar case, will make a great effort to rid the other of this dependency very quickly. The Republic of Tlaxcala, enclosed within the Mexican empire, preferred to do without salt rather than to purchase it from the

one that is neither rich nor poor and could survive on its own; and finally, one that unites the consistency of an ancient people with the docility of a new one. What makes the work of legislation difficult is not so much what has to be established as what has to be destroyed, and what makes success so rare is the impossibility of finding natural simplicity linked to the needs of society. All these conditions, it is true, are difficult to find in combination; that is why we see few well-constituted states.

In Europe there remains one country capable of having legislation enacted—the island of Corsica. The courage and persistence with which this brave people has been able to recover and defend its liberty would richly deserve some wise man to teach the people how to preserve it. I have a feeling that one day this little island will astound Europe.[1]

Chapter 11
On the Various Systems of Legislation

If we look for what precisely makes up the greatest good of all, which ought to be the goal of every system of legislation, we will discover that it comes down to these two principal objects: *liberty* and *equality*. Liberty, because all particular dependency is that much force removed from the body of the state, and equality, because liberty cannot survive without it.[2]

I have already stated what civil liberty is. As far as equality is concerned, by this word we should understand, not that the degrees of power and wealth are to be absolutely the same, but that, with respect to power, it does not rise to the level of any violence and is never exercised except by virtue of rank and the laws, and that, with respect to wealth, no citizen is rich enough to be able to purchase another, and none is so poor that he is forced to sell himself.[3] This assumes, on the part of the great, moderation in goods and authority, and, on the part of the lesser groups, moderation in avarice and covetousness.[4]

This equality, they say, is a speculative chimera that cannot exist in practice. But if abuse is inevitable, does it follow that we must not at least regulate it? It is precisely because the force of circumstance always tends to destroy equality that the power of legislation should always strive to maintain it.

But these general purposes of every good institution should be modified in each country by the relationships which arise, as much from the local situation as from the character of the inhabitants, and it is on the basis of these relationships that one must assign to each people the particular institutional system which is the best, not perhaps in itself, but in the state for which it is destined. For example, is the soil infertile and unproductive or the country too crowded for its inhabitants? Turn to industry and crafts; you will be exchanging their products for the foodstuffs you lack. By contrast, are you living in rich plains and on fertile slopes? Or, on good land, do you lack inhabitants? Put your effort into agriculture, which increases the population, and get rid of the crafts, which would only result in emptying the countryside of people, by grouping together in a few places in the territory the few inhabitants there are.[5] Do you live on extensive and accessible coastlines? Cover the sea with ships and cultivate trade and navigation. You will have a brilliant and brief existence. Does the sea on your

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Mexicans or even to accept it as a free gift. The wise people of Tlaxcala saw the trap hidden beneath this generosity. They kept themselves free, and this little state, confined inside that great empire, was finally the instrument of its ruin.

[1] *In Europe … Europe* Rousseau's relative enthusiasm for Corsica's future would subsequently result in an invitation to compose recommended reforms for the small island, now known as *Plan for a Constitution for Corsica*.

[2] *Liberty … without it* Rousseau quite possibly derived this from Plutarch's assessment of Solon: "The remission of debts was peculiar to Solon; it was his great means for confirming the citizens' liberty; for a mere law to give all men equal rights is but useless, if the poor must sacrifice those rights to their debts, and, in the very seats and sanctuaries of equality, the courts of justice, the offices of state, and the public discussions, be more than anywhere at the beck and bidding of the rich" (Plutarch, Vol. 1, p. 145).

[3] *no citizen … himself* Rousseau might well have in mind Plutarch's depiction of ancient Athens, in which the poor were so indebted to their creditors that many "were forced to sell their children, or fly their country to avoid the cruelty of their creditors" (Plutarch, Vol. 1, p. 114). It was this crisis that precipitated the appeal to Solon, who would serve as its lawgiver.

[4] *This assumes … covetousness* [Rousseau's note] Do you wish then to provide consistency to a state? Bring the extremes together as much as possible. Tolerate neither rich people nor beggars. These two conditions, by nature inseparable, are equally fatal to the common good. From one come partisans of tyranny and from the other come the tyrants. It is always between these two that public liberty becomes a market commodity: one purchases it, and the other sells it.

[5] *Put your efforts … there are* [Rousseau's note] Any branch of foreign trade, says the Marquis d'Argenson, offers little more than an apparent benefit to the kingdom in general. It can enrich some individuals and even some towns, but the entire nation gains nothing from it, and the population is no better off.

coasts wash nothing but almost inaccessible rocks? Remain barbarous and feed yourselves on fish: you will live more peacefully, perhaps better, and certainly more happily. Briefly put, other than the principles common to everyone, each people has within itself some cause which organizes it in a particular manner and makes its legislation appropriate only to it. That is why the Hebrew people long ago and, more recently, the Arabs have had religion as their main purpose, while the Athenians had letters and the arts, Carthage and Tyre had trade, Rhodes had shipping, Sparta had war, and Rome had virtue. The author of *The Spirit of the Laws* has pointed out in his numerous examples the artistry the lawgiver uses to direct what he establishes towards each of these aims.

What makes the constitution of a state truly firm and lasting is to have the conventional rules of behavior observed in such a way that natural relationships and laws always agree on the same points, and that the latter serve, so to speak, only to strengthen, accompany, and rectify the former. But if the lawgiver is mistaken in his purpose and selects a principle different from the one which arises from the nature of things—if, for example, one tends towards servitude and the other towards freedom, one towards riches, the other towards population growth, one towards peace, the other towards conquest—the laws will imperceptibly weaken, the constitution will deteriorate, and the state will not stop being disturbed until it is destroyed or transformed, and invincible nature has regained her empire.

Chapter 12
The Division of the Laws

In order to organize a whole or to give the best possible form to the commonwealth, one has to think about various relations. First, the action of the entire body working on itself, that is, the relationship of the whole to the whole, or of the sovereign to the state, a relationship that, as we shall see later on, is made up of relations of intermediate terms.

The laws that govern this relationship bear the name political laws and are also called fundamental laws, not without reason, if these laws are wise. For if in each state there is only one good way of organizing it, the people who have found that way should hang onto it. But if the established order is bad, why should we consider fundamental those laws that prevent it from being good? Besides, whatever the case, a people always has the authority to change its laws, even the best ones. For if it feels like inflicting damage on itself, who has the right to prevent it from doing so?

The second relationship is that of the members among themselves or with the entire body, and, with respect to the former, this relationship should be as small as possible and, with respect to the latter, as large as possible, so that each citizen is perfectly independent of all the others and excessively dependent on the city, a condition which is always achieved by the same means, for it is only the power of the state which creates the liberty of its members. It is from this second relationship that civil laws arise.

We can also consider a third kind of relationship between a person and the law, that is, between disobedience and the penalty. This gives rise to the establishment of criminal laws, which are basically less a particular type of law than the sanction for all the others.

Linked to these three kinds of laws is a fourth, the most important of all. It is not carved in marble or brass but in the hearts of the citizens. It forms the true constitution of the state, takes on new powers every day, reinvigorates or supplants other laws when these grow old or die away, maintains in a people the spirit with which it was established, and imperceptibly substitutes the force of habit for that of authority. I am speaking about morality and customs, and above all about opinion, a subject unknown to our political thinkers, but on which the success of all the rest depends, a part with which the great lawgiver concerns himself in secret,[1] while he seems to be limiting himself to particular regulations, which are only the curved section of the arch in which morality and customs, arising more slowly, form in the end the unshakeable keystone.

Among these various classes, the only one relevant to my subject is political laws, which determine the form of the government.

End of Book 2

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[1] *opinion, a subject ... in secret* The role of opinion in human experience—and its relation to both imagination and politics—is one of the conspicuous themes of Pascal's *Pensées*, a book Rousseau read closely. For the role of opinion in the *Pensées*, see, among other fragments, Sellier number 78, and also fragments 119, 120, 121, 124, 126, and 463.

Book 3

Before discussing the various forms of government, let us attempt to define precisely the meaning of this word, which has not yet been explained very well.

Chapter 1
On Government in General

I warn the reader that this chapter needs to be read carefully and that I know nothing of the art of being clear to someone who does not wish to be attentive.

Every free action has two causes that combine to produce it: one is moral, that is, the will which determines the act; the other is physical, that is, the power which executes it. When I walk towards an object, the first requirement is that I wish to go there, and the second is that my feet carry me to it. If a paralyzed person wishes to run or if an active person does not wish to, they both will remain where they are. The motive forces in the body politic are the same. In it we make the same distinction between the power and the will. The latter is called the *legislative power* and the former *the executive power*. Nothing is done—or nothing ought to be done—without the collaboration of these two.

We have seen that the legislative power belongs to and can only belong to the people. It is easy to see, by contrast, that, according to principles previously established, the executive power cannot belong to the people in general, as lawmaker or sovereign, because this power consists only of particular acts, which are not the domain of law and consequently of the sovereign, all of whose acts can only be laws.

The public force therefore requires its own agent to unite it and set it to work, according to the directions of the general will. This agent serves as a means of communication between the state and the sovereign and acts in the person of the public in somewhat the same way as the union of the soul and body does in human beings. There you have the reason for government in the state, something people confuse with the sovereign, for which it is merely the minister.

What, then, is the government? It is a body established as an intermediate between the subjects and the sovereign, for the purpose of mutual communication between the two, charged with executing the laws and maintaining liberty, both civil and political.

The members of this body are called magistrates or *kings*, in other words, *governors*, and the entire body bears the name *prince*.[1] Thus, those who allege that the act by which a populace submits itself to leaders is not a contract are perfectly right. Such an act is nothing of the kind, but merely a commission, an employed service in which the magistrates, as simple officers of the sovereign, exercise in its name the power which it has given them as its agents and which it can limit, modify, and take back when it wishes, for the alienation of such a right is incompatible with the nature of the social body and contrary to the goal of the association.

Hence, I call *government*, or *supreme administration*, the legitimate exercise of executive power, and *prince* or *magistrate*, the man or the body charged with this administration.

Within the government we find the intermediate forces whose relationships make up that of the whole to the whole or of the sovereign to the state. We can represent the latter relationship as one between the extremes of a continued proportion, whose mean proportional is the government. The government receives from the sovereign the orders it issues to the people. For a state to be in proper equilibrium, it is necessary, all things considered, for there to be an equality between the product or power of the government, taken in itself, and the product or the power of citizens, who are, on the one hand, sovereigns, and, on the other hand, subjects.

Moreover, one cannot alter any of these three terms without immediately breaking up the proportion. If the sovereign wishes to govern, or if the magistrate wishes to enact laws, or if the subjects refuse to obey, disorder replaces good order, force and will no longer act in concert, and the state dissolves and thus falls into despotism or anarchy. Finally, given that there is only one mean proportional between each relation, there is only one good government possible in a state. But since a thousand events can change the relationships of a people, different governments can be good not only for different peoples, but also for the same people at different times.

In attempting to provide some idea of the different relationships that can hold between these two extremes, I will take as an example the number of a people, for that relationship is easier to explain.

Suppose that the state consists of ten thousand citizens. The sovereign can be considered only collectively, as a body.

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[1] *The members … prince* [Rousseau's note] For this reason, the College in Venice is called *Most Serene Prince*, even when the Doge is not in attendance.

But each particular person, in his capacity as a subject, is considered individually. Thus, the sovereign is to the subject as ten thousand is to one; that is say, each member of the state has, as his share of the sovereign authority, only one part in ten thousand, although he is entirely subject to it. If the population consists of one hundred thousand people, the condition of the subjects does not change, and each one bears equally the full weight of the law, while his vote, reduced to one in one hundred thousand, has ten times less influence in formulating laws. Thus, since the subject always remains a single unit, the ratio of the sovereign to the subject grows proportionally larger as the population of citizens increases. From that it follows that the larger the state grows, the more liberty diminishes.

When I say the ratio grows larger, I mean that it moves away from equality. Thus, the greater the ratio in the geometrical sense, the smaller the ratio in the common understanding of the term. In the former, the ratio, considered according to its quantity, is measured by the quotient, and in the latter, considered according to identity, it is measured by similarity.

Now, the smaller the relationship between the particular wills and the general will, that is, between moral customs and the laws, the more the repressive force should increase.[1] Hence, the government, in order to be good, should be relatively stronger in proportion to an increase in the population.

On the other hand, since the growth of the state provides agents of public authority more temptations and ways to abuse their power, the greater the force the government ought to have to control the people, the greater the force the sovereign, in its turn, ought to have to control the government. I am not talking here about an absolute force, but of the relative powers of the various parts of the state.

It follows from this double relationship that the continued proportion between the sovereign, the prince, and the people is not an arbitrary idea, but a necessary consequence of the nature of the body politic. It also follows that since one of these extremes, namely, the people as subjects, is fixed and represented by unity, every time the double ratio increases or decreases, the simple ratio increases or decreases in a similar manner, and that as a result the middle term is changed. This goes to show that there is no single, unique, and absolute constitution for a government, but that there can be as many governments with different natures as there are states of different sizes.

If someone wished to ridicule this system and said that in order to find this mean proportional and form the body of the government, then, according to me, all one must do is take the square root of the number of people, I would reply that here I am taking this number only as an example, that the relationships I am talking about are not measured solely by the number of people, but in general by the amount of action, which is a combination of a great many causes, and in addition, that if, in order to express myself more concisely, I momentarily borrow terms from geometry, I am nonetheless not ignorant of the fact that geometric precision has no place in moral quantities.

The government is, on a small scale, what the body politic that includes it is on a large one. It is a moral person, endowed with certain faculties, active like the sovereign, passive like the state, and capable of being broken down into other similar relationships, which give rise, as a result, to a new proportion, within which is yet another, according to the arrangement of departments, until one reaches an indivisible middle term, that is to say, a single leader or supreme magistrate, who may be represented in the middle of this progression as the unity between the series of fractions and the series of whole numbers.

Without burdening ourselves with this multiplication of terms, let us be content to look upon the government as a new body in the state, distinct from the people and the sovereign, and intermediate between the two.

There is this essential difference between these two bodies: the state exists by itself, and the government exists only through the sovereign. Hence, the dominant will of the prince is not or should not be anything other than the general will or the law; his force is merely the public force concentrated in himself. As soon as he wishes to derive from himself some absolute and independent act, the links of the whole begin to loosen. If it should come to pass that the prince has a particular will more active than the will of the sovereign, and that he uses the public force in his hands to obey this particular will, so that one has, as it were, two sovereigns, one by right and the other in fact, at that instant the social union would vanish and the body politic would be dissolved.

Yet in order for the body of the government to exist, to have a real life that distinguishes it from the body of the state, and in order for all its members to be able to act in concert and to meet the purpose for which it was established, it must possess a particular *self*, a sensibility common to its members, a force, a unique will which tends to its preservation. This particular existence presupposes assemblies, councils, a power of deliberation and decision-making, rights, titles, and privileges belonging exclusively to the prince that make the position of the magistrate more honorable as it becomes more onerous. The difficulties stem from the manner of organizing this subordinate whole within the whole, in such a way that the government does not impair the general constitution by reinforcing its own, that it always distinguishes its particular power, intended for its own preservation, from the power of the public, intended for the preservation of the state, and that, simply put, it is always prepared to sacrifice the government to the people and not the people to the government.

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[1] *Now, the smaller ... increase* Rousseau likely borrows this argument from Montesquieu, *Spirit of the Laws*, 9.9.

Moreover, although the artificial body of the government is the work of another artificial body and has, in a sense, only a borrowed and subordinate life, this does not hinder it from being able to act with more or less vigor or speed, or from enjoying, so to speak, more or less robust health. Finally, without straying directly from the goal for which it was established, it can deviate from it to a greater or lesser extent, depending on the manner in which it was constituted.

From all these variables arise the different relationships that the government must have with the body of the state, in accordance with the accidental and particular relationships through which this state itself is modified. For often the government that is inherently the best will become the most pernicious, if its relationships are not adjusted, according to the defects of the body politic to which it belongs.

Chapter 2
On the Principle that Determines the Various Forms of Government

To set down the general cause of these differences, we must distinguish here between the prince and the government, just as I made a distinction earlier between the state and the sovereign.

The body of magistrates can comprise a larger or smaller number of members. We have said that the ratio of the sovereign to the subjects increases proportionally with an increase in population, and by a clear analogy, we can say the same thing about the government in relation to the magistrates.

Now, since the total power of the government is always the power of the state, it does not vary. From this it follows that the more of this power it uses on its own members, the less power it will have left to deal with the people as a whole.

Therefore, the more numerous the magistrates, the weaker the government. Since this principle is fundamental, let me strive to explain it more clearly.

In the person of the magistrate, we can distinguish three essentially different wills: first, the will belonging to the individual, which tends only to his own particular advantage; second, the communal will of the magistrates, which has a unique relationship to what is advantageous to the prince, something we can call a corporate will, which is general in relation to the government and particular in relation to the state, of which the government is a part; and third, the will of the people or the sovereign will, which is general, both with respect to the state considered as the whole and with respect to the government considered as part of that whole.

In a perfect order of legislation, the particular or individual will should be absent, the corporate will belonging to the government should be very subordinate, and consequently, the general or sovereign will should always dominate and serve as the only rule for all the others.

According to natural order, however, these different wills become more active as they become more concentrated. Hence, the general will is always the weakest, the corporate will is in second place, and the particular will is the most important of all, so that in the government each member is first himself, then a magistrate, and then a citizen, a ranking directly opposed to the one demanded by the social order.

Once we assume this, if the entire government is in the hands of a single man, then the particular will and the corporate will are perfectly united, and thus the latter has the highest level of intensity possible. Now, since the use of force depends upon the degree of the will, and since the absolute power of the government does not change, it follows that most active government is that of a single person.

In contrast, let us combine the government and the legislative authority, by making the sovereign the prince and all the citizens so many magistrates. In that case, once the corporate will is merged with the general will, the former is not going to be any more active than the latter and will leave the particular will with all its force. Thus, the government, which always has the same absolute power, will be at its *minimum* relative force or activity.

These relationships are incontestable, and still other considerations serve to confirm them. For example, it is clear that each magistrate is more active in his corporate group than each citizen is in his and that, as a result, the particular will has considerably more influence in acts of government than in those of the sovereign. For each magistrate is almost always charged with some function of government; whereas each citizen, considered individually, carries out no function of sovereignty. Moreover, the more the state expands, the greater its real power grows, although it does not increase in proportion to its size. But if the state remains the same, the magistrates could well increase in number, and yet the government does not thereby acquire any more real force, because its power is that of the state, whose size is always the same. Thus, the relative power or activity of the government diminishes, while its absolute or real power cannot increase.

It is also certain that to the extent that more people are charged with it, the expediting of business becomes slower, and that by overly emphasizing prudence, we pay insufficient attention to fortune, let slip an opportunity, and by deliberation often lose the fruits of deliberation.

I have just established that the government grows proportionally more lax as the number of magistrates increases, and I demonstrated above that the more numerous the people, the more the force of restraint should increase. From that it follows that the ratio of magistrates to government should be the inverse of that of subjects to sovereign; in other words, that the larger the state grows, the more the government should contract, in such a way that the number of leaders decreases in proportion to the increase of the people.

I should add that here I am talking only about the relative power of the government and not about its rectitude. For, by contrast, the greater the number of magistrates, the more the corporate will of the government approaches the general will; whereas, under a single magistrate this same corporate will, as I have said, is merely a particular will. Thus, we lose on one side what we can gain on the other, and the art of the lawgiver is to know how to fix the point where the power and the will of the government, which are always inversely related, are combined in the relationship most advantageous to the state.

Chapter 3
Division of Governments

We saw in the previous chapter why we distinguish the various types or forms of government by the number of members who compose them. We still have to see in this one how these distinctions are made.

First of all, the sovereign can commit the duties of the government to all the people or to the greater part of them, so that there are more citizen magistrates than ordinary individual citizens. This form of government we call a *democracy*.

Alternatively, the sovereign can restrict the government to the hands of a small number, so that there are more ordinary citizens than magistrates. We call this form of government an *aristocracy*.

Finally, the sovereign can concentrate the entire government in the hands of a single magistrate exclusively, from whom all the others derive their power. This third form, the most common, we call a *monarchy* or royal government.

I should observe that all these forms, or at least the first two, can be adjusted to a greater or lesser extent and even offer considerable latitude. For democracy can include all the people or be restricted to half. Aristocracy, in its turn, can be restricted indeterminately from half the people down to the smallest number. Even monarchy can be divided up. Sparta always had two kings, as its constitution stipulated, and we know that in the Roman Empire there were up to eight emperors at a time, and yet we could not claim that the empire was divided. Thus, there is a point at which each form of government blurs into the next, and one sees that under these three labels alone, government is, in fact, capable of as many different forms as the state has citizens.

And there is more. Since this same government can, in certain respects, be subdivided into other parts, one administered in one way, another in a different way, the combinations of these three forms can produce a multitude of mixed forms, each of which can be multiplied by all the simple forms.

In every age people have argued a great deal about the best form of government, without taking into account the fact that each of them is the best in certain circumstances and the worst in others.

If in different states, the number of supreme magistrates ought to be inversely proportional to the number of citizens, it follows that, in general, democratic government suits small states, aristocratic government suits medium-sized states, and monarchy suits large states. This rule is derived directly from the above principle. But how does one count the multitude of circumstances that can furnish exceptions?

Chapter 4
On Democracy

The person who creates the law understands better than anyone how it should be executed and interpreted. Thus, it seems that we could not have a better constitution than one in which the executive and legislative powers are combined. But that is precisely what makes this government inadequate in certain respects, because matters which should be differentiated are not, and, given that the prince and the sovereign are the same person, they form, so to speak, only a government without government.

It is not good for the person who creates the laws to execute them,[1] or for the body of the people to turn its attention away from a general viewpoint in order to focus on particular things. Nothing is more dangerous than the influence of private interests on public affairs, and the abuse of laws by the government is a lesser evil than the corruption of the legislator, an inevitable consequence of particular views. When that happens, once the state has been changed in its substance, all reform becomes impossible. A people that would never abuse government would also never abuse independence, and a people that always governed well, would have no need of being governed.

If we take the term in its strict sense, a genuine democracy has never existed and never will.[2] It is against natural order that the majority govern and the minority be governed. It is impossible to imagine that the people would remain constantly assembled in order to attend to public business, and it is easy to see that it could not establish commissions to carry out this work without changing the form of the administration.

In fact, I believe I can set down the following principle: when the functions of government are shared among several departments, the ones with the fewest members sooner or later acquire the greatest authority, if only because they will find it easy to carry out their business, a fact which will naturally bring them to this position.

Besides, how many things difficult to combine does such a government presuppose? Firstly, a very small state, where the people may be easily assembled and where each citizen can readily recognize all the others; secondly, a great simplicity of customs, which prevents a great increase in public business and thorny discussions; thirdly, a large measure of equality in rank and fortune, without which equality of rights and authority cannot last long; and finally, little or no luxury, for luxury either is the effect of wealth or makes wealth necessary. It corrupts rich and poor simultaneously, the former by possession and the latter by covetousness; it sells the country to softness and vanity; it takes away from the state all its citizens, to make them slaves to one another, and all of them slaves to opinion.[3]

That is why a famous author[4] established virtue as the principle in a republic, for none of these conditions could survive without virtue. But because this remarkable genius failed to make the necessary distinctions, he was often imprecise and sometimes unclear and did not see that, since the sovereign authority is the same everywhere, the same principle should be found in every well-constituted state, to a greater or lesser extent, of course, depending on the form of the government.

Let me add that there is no government so prone to civil wars and internal agitation as a democratic or popular one, because there is none with such a strong and continual tendency to change its form or one which demands more vigilance and courage to maintain the way it is. In this constitution, above all, the citizen must arm himself with strength and steadfastness and say every day of his life, in the depths of his heart, what a virtuous Palatine said in the

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[1] *It is not good … them* Rousseau here echoes Montesquieu, *Spirit of the Laws*, 11.6.

[2] *a genuine democracy … will* Readers should be careful here to distinguish a democratic executive branch, as Rousseau outlines here, from democratic legislation, which he defends throughout the *Social Contract*.

[3] *little or no luxury … opinion* It is quite possible that Rousseau borrowed this assumption from Montesquieu, who wrote, "The misfortune of a republic is to be without intrigues, and this happens when the people have been corrupted by silver; they become cool, they grow fond of silver, and they are no longer fond of public affairs; without concern for the government or for what is proposed there, they quietly await their payments" (*Spirit of the Laws*, 2.2). As noted above, the influence of opinion is expressed with force by Pascal in his *Pensées*, where he refers to it as the "queen of the world."

[4] *a famous author* Rousseau here is referring to Montesquieu. See, for example, his *Spirit of the Laws*, 3.3.

Diet of Poland: *I would rather have a perilous freedom than a peaceful servitude.*[1]

If there were a population made up of gods, it would govern itself as a democracy. Such a perfect government is not suitable for men.

Chapter 5
On Aristocracy

We have here two very distinct moral persons, namely, the government and the sovereign, and, as a result two general wills, one relative to all the citizens and the other relative solely to the members of the administration. Thus, although the government can regulate its internal public order as it wishes, it can never speak to the people except in the name of the sovereign, that is to say, in the name of the people itself. That is something one must never forget.

The first societies governed themselves as aristocracies.[2] The heads of families would discuss public business among themselves, and the young people had no difficulty yielding to the authority of experience. From this arose the names of *priests*, *elders*, *senate*, and *herontes*. The savages of North America still govern themselves in this way today, and they are very well governed.

But as inequality of institution prevailed over natural inequality, wealth or power was preferred to age, and aristocracy became elective.[3] Finally, once the power and property transferred from the father to his children created patrician families, the government was made hereditary, and twenty-year-old senators appeared.

There are thus three varieties of aristocracy: natural, elective, and hereditary. The first is suitable only for simple people, the third is the worst of all governments, and the second is the best: it is aristocracy in the proper sense of the term.

Apart from the advantage of distinguishing between the two powers, aristocracy also has the advantage that its members are chosen. For in a popular government all the citizens are born magistrates, but aristocracy restricts them to a small number, and they become magistrates only by being elected, a method in which integrity, enlightenment, experience, and all the other reasons for public preference and esteem are so many additional guarantees that one will be governed wisely.[4]

Moreover, its assemblies are more conveniently arranged, business is better discussed and carried out in a more orderly and diligent manner, and the state's credit is maintained better among foreigners by venerable senators than by an unknown or despised multitude.

In a word, the best and most natural order is to have the wisest governing the multitude, when one is certain that they govern it for its profit and not for their own. It is not necessary to multiply jurisdictions for no purpose, or to use twenty thousand men to do what one hundred chosen men can do even better. But one must note that the interest of the corporate body begins here to direct public power under less control from the general will, and that another inevitable tendency removes from the laws a part of the executive power.

As far as particular relations that make this arrangement suitable, the state need not be so small or the people so simple and upright, that the execution of the laws immediately follows the public will, as in a good democracy. Nor does the nation need be so large that its leaders, scattered about in order to govern it, can make sovereign decisions, each in his own department, and start to make themselves independent so that they can, in the end, become the masters.

But if aristocracy requires somewhat fewer virtues than does a government by the people, it also demands others unique to it, such as moderation among the rich and content among the poor, for it seems that a rigorous equality would be out of place there. Such a thing was not observed even in Sparta.

Furthermore, if this form of government includes a certain inequality in wealth,[5] it is good to ensure that in general, the administration of public business is confined to those who are best able to devote all their time to it, but not, as Aristotle maintains, so that the wealthy will always be the ones selected. On the contrary, it is important that from time to time an opposite choice teaches the people that in men's merits there are more important reasons for preference than riches.

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[1] *a virtuous Palatine … servitude* [Rousseau's note] The Palatine of Posen, father of the King of Poland, Duke of Lorraine. [Rousseau quotes the Latin.]

[2] *The first societies … aristocracies* Although Rousseau frequently insists throughout the *Social Contract* that there is no one best form of government, in a letter he wrote to Isaac-Ami Marcet de Mézières, he suggests that aristocracy is in fact "the best of all" (Lettre à Mézières).

[3] *aristocracy became elective* [Rousseau's note] It is clear that the word *Optimates* among the ancients was not intended to mean the best but the most powerful.

[4] *For in a popular government … wisely* [Rousseau's note] It is particularly important to have laws regulating the way magistrates are elected, for in leaving that to the will of the prince, one cannot avoid falling into a hereditary aristocracy, as has happened to the republics of *Venice* and *Berne*. Thus, the former has for a long time been in a state of ongoing dissolution, but the latter has maintained itself thanks to the extreme wisdom of its senate. That makes it a very honorable and very dangerous exception.

[5] *a certain inequality in wealth* John McCormick (2007, 2016) has drawn on this and related passages to suggest that Rousseau

Chapter 6
On Monarchy

So far we have looked at the prince as a moral and collective person, unified by the force of laws, and the agent of executive power in the state. Now we must consider this power consolidated in the hands of a natural person, an actual man, the only one with the right to use it according to the laws. Such a person we call a monarch or a king.

In complete contrast to the other administrations, where a collective entity represents an individual, in a monarchy an individual represents a collective entity, so that the moral unity that constitutes the prince is at the same time a physical unity, in which all the faculties that the law has so much difficulty combining in the other governments are naturally united.

Thus, the will of the people, the will of the prince, the public power of the state, and the particular power of the government—all of these answer to the same motive force, all the springs of the machine are in the same hand, everything moves towards the same goal, there are no opposing movements working against each other, and one cannot imagine any form of constitution in which a smaller effort produces a more significant action. Archimedes seated calmly on the shore and effortlessly pulling a large floating vessel represents for me a skillful monarch governing his vast estates from his study and making everything move while he appears stationary.

But while there is no government more vigorous, there is none in which the particular will has more control and more easily dominates the others. Everything moves to the same goal, that is true; but this goal is not that of public happiness, and the power of the administration itself constantly works against the interests of the state.

Kings want to be absolute, and from far away the cry goes out to them that the best way to be that is to make themselves loved by their people. This principle is all very well and, in certain respects, even very true. Unfortunately, those at court will always ridicule it. The power that comes from the love of the people is undoubtedly the greatest, but it is precarious and conditional, and princes will never be satisfied with it. The best kings wish to be wicked if they please, without ceasing to be masters. Those who deliver political sermons may well tell them that, since the power of the people is their own, their greatest interest is that the people are flourishing, numerous, and formidable; but kings know very well that this is not true. Their personal interest is, first and foremost, that the people be weak, unhappy, and incapable of ever resisting them. I admit that if the subjects were always perfectly submissive, the prince's interest would thus be for the people to be powerful, so that, because this power is his own, it would make him formidable to his neighbors. But since this interest is merely secondary and subordinate, and since these two suppositions are incompatible, it is natural that princes always prefer the principle that is most immediately useful to them. This is what Samuel set forth strongly to the Hebrews[1] and what Machiavelli has clearly shown. By pretending to provide lessons for kings, he gave important lessons to the people. Machiavelli's *Prince* is the book of republicans.[2]

By considering general relationships, we found that monarchy is suitable only for large states, and we find the same thing again if we examine it in itself. The more numerous the public administration, the more the ratio of the prince to the subjects diminishes and approaches equality, so that in a democracy it is one-to-one or actual equality. This same ratio increases proportionally as the government decreases in size, and it is at its *maximum* when the government is in the hands of a single person. In that case, there

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is relatively unconcerned about economic inequality. See Destri (2016) for a challenge to this interpretation.

[1] *Samuel … Hebrews* Rousseau likely has in mind Samuel's admonition to the Israelites about the consequences of monarchy in 1 Samuel 8.10–18, as well as the story of Saul in 1 Samuel 15.

[2] *Machiavelli has clearly shown … republicans* The following passage was added to the edition of 1782: "Machiavelli was an honorable man and a good citizen, but he was attached to the House of Medici, and so, when his homeland was oppressed, he was forced to disguise his love of liberty. The choice of his detestable hero in itself demonstrates well enough his secret intention, and the contradiction between the principles in his book *The Prince* and those in his *Discourses on Livy* and in his *History of Florence* shows that this profound political thinker has so far had only superficial or corrupt readers. The court in Rome has strictly prohibited his book. I can well believe it, for that is the court he portrays most clearly."

is too great a distance between the prince and the people, and the state lacks cohesion. To form that, one must have intermediate orders: there must be princes, great men, and a nobility to fill them. Yet none of that is suitable for a small state, which is ruined by all these ranks.

But if it is difficult for a large state to be well governed, it is considerably more difficult for it to be well governed by a single man, and everyone knows what happens when the king assigns deputies.

An essential and inevitable defect, which will always place monarchical government below republican government, is that in the latter the public voice almost never elevates to the most important positions anyone except capable and enlightened men who fill them with honor; whereas in monarchies, those who attain these offices are most commonly merely petty incompetents, petty rascals, petty schemers, whose petty talents get them their important position at court but, as soon as they get there, serve only to display their ineptitude to the public. The people makes far fewer mistakes in this choice than the prince, and a man of genuine merit is almost as rare in the royal ministry as a fool is at the head of a republican government. Hence, when by some happy chance one of those men born to govern takes the helm of public business in a monarchy almost ruined by these crowds of splendid officials, people are totally surprised by the resources he discovers, and he ushers in an epoch in his country's history.

For a monarchical state to be capable of being well-governed, its size or extent would have to be commensurate with the abilities of the one who governs. It is easier to conquer than to rule. With a long enough lever, someone could shake the world with a single finger, but to support it he would need the shoulders of Hercules. No matter how small a state may be, the prince is almost always too small for it. When, by contrast, the state happens to be too small for its leader—which is very rare—it is still badly governed, because the leader, always pursuing his grand visions, forgets the interests of the people and makes them no less miserable by the abuse of his talents, which he has in excess, than a leader limited by the lack of talents he does not possess. A kingdom would have to expand or contract, so to speak, in each reign, according to the capability of the prince; whereas with a senate, given that the amount of talent is more stable, the state can have permanent limits without the administration running any less well.

The most striking inconvenience of a single-individual government is the lack of the continuous succession that creates in the other two forms of government an uninterrupted bond. Once a king dies, one needs another. Elections leave dangerous intervals and are stormy. Unless the citizens display an impartiality and an integrity rarely accompanying this form of government, cabals and corruption come into play. It is difficult for the person to whom the state has sold itself not to sell it in turn, and compensate himself at the expense of the weak for the money that the powerful have extorted from him. Sooner or later, under an administration like this everything becomes venal, and the peace people enjoy under kings is worse than the disorders of an interregnum.

What has been done to avoid these evils? They have made crowns hereditary in certain families, and have established an order of succession that prevents any dispute on the death of kings. In other words, by substituting the disadvantage of regencies for that of elections, they have chosen an apparent tranquility over a wise administration and, rather than having to argue over the choice of good kings, they have preferred to risk having as leaders children, monsters, and imbeciles. They did not think about how, by thus exposing themselves to the risks of this alternative, they are going against almost all the odds. Dionysius the Younger spoke very sensibly when his father reproached him for a shameful act with the words, "Did I set you an example of this kind?" "Ah," replied the son, "your father was not a king!"[1]

Everything combines to remove justice and reason from a man who has been brought up to command others. A great deal of trouble is taken, so people say, to teach young princes the art of ruling. It does not seem that this education does them much good. It would be better to begin by teaching them the art of obeying. The greatest kings whom history has celebrated were not raised to reign. Reigning is a science that we never grasp less well than after we have been taught too much of it, and that is more readily acquired by obeying than by giving orders. *For the most useful and the shortest method of determining what is good and what is bad is to think about what you would have wanted to happen or not to happen if someone else were leader.*[2]

One consequence of this lack of consistency is the unpredictability of royal government which, by organizing itself sometimes on one plan and sometimes on another, depending on the character of the reigning prince or of those people who reign on his behalf, cannot have a fixed goal or consistent conduct for any length of time, a variability that makes the state drift from principle to principle, and from project to project—and that does not happen in governments where the prince is always the same. Thus, we see that, in general, if there is more scheming in a court, there is more wisdom in a senate, and that republics move towards their ends with a way of looking at things which is more consistent and better followed; whereas, every revolution in a royal ministry creates a revolution in the state, since the principle common to all ministers and to almost all kings is to select on every issue the course directly opposite to that of their predecessor.

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[1] *Dionysius the Younger ... a king* Rousseau likely learned this story from Plutarch, *Moralia*, Vol. 3.

[2] *For the most useful ... leader* [Rousseau's note] Tacitus, *Histories*, Book I. [Rousseau quotes the Latin.]

From this same inconsistency we also derive the answer to a sophistical argument very familiar to political writers defending royal government: they not only compare civil government to domestic government and the prince to the father of the family—an error already refuted—but also are generous in providing this magistrate with all the virtues he may need. They always assume that the prince is what he ought to be: with the help of which royal government is obviously preferable to all others, because it is decidedly the strongest and, in order to be the best as well, requires only a corporate will more closely aligned to the general will.

However, if, as Plato observes, a king by nature is such a rare person, how often will nature and fortune work together to give him the crown?[1] And if the education of a king necessarily corrupts those who receive it, what should one expect from a series of men brought up to reign? Thus, to mistake monarchical government for the government of a good king stems clearly from a desire to deceive oneself. To see what this government essentially is, we must consider what it is under obtuse or wicked princes, for either they come to the throne with these qualities, or the throne makes them so.

These difficulties have not escaped our writers, but they do not find them embarrassing. The cure, they say, is to obey without a murmur. God, in his anger, sends bad kings, and we must bear them as punishments from heaven. Such discussions are, no doubt, edifying, but I would think they are more appropriate in a pulpit than in a book about politics. What does one say about a doctor who promises miracles and whose entire art is to urge the invalid to be patient? We are well aware that when we have a bad government we must endure it. The question should be how to find a good one.

Chapter 7
On Mixed Governments

Strictly speaking, there is no simple government. A single leader must have subordinate magistrates; a popular government must have a leader. Thus, in the division of executive power, there is always a gradation from a large number to a smaller number, with this difference: sometimes the large number depends on the small number, and sometimes the small number depends on the large one.

Sometimes the division is equal, either when the constituent parts are mutually dependent, as with the government in England, or when the authority of each part is independent but imperfect, as in Poland. This latter form is bad, because there is no unity in the government and the state lacks cohesion.

Which government is better: a simple one or a mixed one? This question has been extensively debated by political writers, and I must give to it the same reply I made earlier about every form of government.

A simple government is inherently the best for one reason alone: it is simple. But when the executive power is not sufficiently dependent upon the legislative power—that is to say, when the prince has a stronger relationship to the sovereign than the people has to the prince—one must remedy this lack of proportion by dividing the government, for then all its parts have just as much authority over the subjects and their division makes them collectively less strong with respect to the sovereign.

One also prevents the same disadvantage by establishing intermediate magistrates, who leave the government entirely as it is and serve only to balance the two powers and to maintain their respective rights. In that case, the government is not mixed, it is tempered.

By similar measures one can remedy the opposite disadvantage and, when the government is too lax, set up tribunals to concentrate it. This is done in all democracies. In the first case, one divides the government to weaken it and in the second case to strengthen it. For the maximum of force and of weakness are found equally in simple governments; whereas, the mixed forms provide a moderate strength.

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[1] *as Plato observes ... the crown* [Rousseau's note] In *The Statesman.*

Chapter 8
That All Forms of Government Are Not Appropriate for Every Country

Since liberty is not a fruit of all climates, it is not within reach of all peoples. The more one meditates on this principle established by Montesquieu, the more one perceives its truth. The more one challenges it, the more one provides opportunities to confirm it with new proofs.

In all governments of the world, the public person consumes without producing anything. Where, then, do the materials it consumes come from? From the work of its members. The surplus of particular individuals produces what the public needs. Thus, it follows that the civil state can survive only as long as men's work produces more than they need.

Now, this surplus is not the same in all the countries of the world. In several it is considerable, in others modest, in others non-existent, in others negative. The relationship between production and surplus depends upon the fertility of the climate, the kind of work which the land demands, the nature of its products, the strength of its inhabitants, the greater or lesser amount they need to consume, and a number of other similar factors which make up that relationship.

On the other hand, not all governments have the same nature: they are more or less voracious, and the differences among them are based upon another principle, as follows: the further the public contributions are distant from their source, the more onerous they are. This burden must be measured, not by the amount of the impositions but by the road they must take to get back into the hands from which they came. When this circulation is quick and well-established, whether one pays a little or a great deal does not matter. The people is always rich, and the finances are always sound. By contrast, no matter how little the people gives, when that little does not come back to it, the constant giving soon exhausts the people, the state is never rich, and the population is always impoverished.

From this it follows that the more the distance between the people and government increases, the more burdensome their payments become. Thus, in a democracy the people bear the smallest load; in an aristocracy the load is greater, and in a monarchy it is the heaviest. Hence, a monarchy is suitable only in wealthy nations, aristocracy only in moderately wealthy states of medium size, and democracy only in small and poor states.

In fact, the more we reflect on this matter, the more we find a difference between free and monarchical states on this point: in the former everything is applied to what is useful for the community; in the latter public and individual powers are inversely related, with one increasing through the weakening of the other. Finally, instead of governing the subjects in order to make them happy, despotism makes them miserable in order to govern them.

Thus, in every climate there are natural causes on the basis of which we can designate the form of government to which the influence of that climate leads, and can even state what sort of inhabitants it should have. Infertile and barren places, where the product is not worth the labor, should remain uncultivated and abandoned or peopled only by savages. Places where men's work provides only what is strictly necessary should be inhabited only by barbarous people. All polities there would be impossible. Places where labor produces a modest surplus are suitable for free people, and those where the abundant and fertile soil provides many products for little work demand a monarchical government, so that the prince's luxury consumes the excess superfluities of the subjects. For it is better that this excess be absorbed by the government than dissipated by particular individuals. I realize that there are exceptions, but these exceptions themselves confirm the rule, for sooner or later they bring about revolutions that lead things back to the natural order.

Let us always distinguish general laws from the particular causes that can modify their effects. If all the south were covered with republics and all the north with despotic states, it would be no less true that, thanks to the effects of climate, despotism suits hot countries, barbarism suits cold countries, and good polities suit intermediate regions. I recognize, too, that, if we accept the principle, we can argue about its application. We could say that there are cold countries that are very fertile and southern lands that are very unproductive. But this difficulty is a problem only for those who do not examine every aspect of the issue. As I have already said, one must take into account labor, force, consumption, and so on.

Let us assume there are two lands of equal size. One yields five units of produce and the other ten. If the inhabitants of the first consume four and those of the second nine, the surplus of the first will be one-fifth, and the surplus of the second one-tenth. The ratio of these two surpluses will therefore be the inverse of the ratio of their products. The land producing only five units will give twice the surplus of the land producing ten.

But the issue here is not that there is twice as much production, and I do not believe that anyone ventures to propose that, as a general rule, the fertility of cold countries is even equal to that of hot countries. All the same, let us assume this equality. Let us, if you will, make England the equal of Sicily, and Poland the equal of Egypt. Further south we have Africa and the Indies and further north nothing at all. To achieve this equality in production, what difference must there be in the work of cultivation? In Sicily, one only has to scrape the earth; in England, how the laborer has to toil! Now, where more hands are needed to produce the same yield, the surplus must necessarily be smaller.

Furthermore, consider the fact that the same number of men consume far less in hot countries, for the climate requires them to practice moderation in order to preserve their health. Europeans who wish to live there as they do among us all perish from dysentery and indigestion. "We are," Chardin states, "carnivorous animals, wolves, in comparison with those in Asia. Some people attribute the moderation of the Persians to the fact that their country is less cultivated, but, as for me, I believe the reverse—their country is less abundant in commodities because its inhabitants require less. If their frugality," he continues, "were an effect of a shortage of food in that country, only the poor would eat little; but, in general, it is true of everyone. And people would eat more or less in each province, depending on the fertility of the country; whereas the same restraint is found throughout the kingdom. They are very proud of their way of life, claiming that one only has to look at their complexion to recognize how much it surpasses that of the Christians. In fact, the Persians have an even complexion, with handsome skin, fine and smooth. By contrast, the Armenians, their subjects, who live like Europeans, have coarse, blotchy complexions, and their bodies are fat and ungainly."

The closer one gets to the equator, the less people live on. They eat hardly any meat. Their basic foods are rice, maize, couscous, millet, and cassava. In the Indies there are millions of people whose nourishment costs less than a halfpenny per day. Even in Europe we see appreciable differences in appetite between the people in the north and those in the south. A Spaniard will live for eight days on what a German eats for dinner. In countries where men have more voracious appetites, luxury also inclines towards things to consume. In England, it manifests itself in a table laden with meats; in Italy, you will be treated to sugar and flowers.

Luxury in clothing offers similar differences. In climates where changes in the season are sudden and violent, people have better and simpler garments. In those where people dress only for show, they look more for what is striking than for what is practical, and there the clothes themselves are a luxury. Every day in Naples, you will see men strolling on the Posillipo in gold-embroidered coats with nothing covering their legs. The same holds true with buildings. When people have nothing to fear from the weather, they focus completely on magnificence. In Paris and London, they want to be housed in warmth and comfort. In Madrid, they have superb salons, but no windows that close, and they sleep in rats' nests.

Foods are much more substantial and succulent in hot countries, a third difference that cannot fail to have an influence on the second. Why do they eat so many vegetables in Italy? Because they are good and nutritious, with an excellent taste. In France, where vegetables are nourished with nothing but water, they are not at all nutritious, and at table are almost irrelevant. Nonetheless, they take up just as much land and cost at least as much effort to cultivate. It is an established fact that the wheat in Barbary, in other respects inferior to that of France, yields much more flour, and that wheat in France, in turn, yields more than wheat from the north. From that we can infer that, generally speaking, there is a similar gradation in the same direction from the equator to the pole. Now, is it not an obvious disadvantage to have equal production but a smaller amount of nourishment?

To all these different considerations I can add one that follows from and fortifies them, namely, that hot countries have less need of inhabitants than cold ones and could nourish more of them. This produces a double surplus that always favors despotism. The greater the area occupied by the same number of inhabitants, the harder it becomes to rebel, because people cannot concentrate themselves either quickly or secretly and it is always easy for the government to expose plots and sever communications. But the more a numerous people gather together, the less the government can usurp the role of the sovereign. The people's leaders deliberate in their rooms just as securely as the prince in his council, and the crowd gathers as quickly in the public squares as the troops in their quarters. Thus, the advantage for a tyrannical government in this situation is that it can act over great distances. With the help of the bases it establishes, its power, like that of a lever, increases with distance.[1] The power of the people, by contrast, is effective only when it is concentrated. By extending itself, it evaporates and is lost, like the effect of gunpowder scattered on the earth, which catches fire only grain by grain. Hence, the least populated countries are those most suited for tyranny. Ferocious beasts reign only in deserts.

Chapter 9
On the Signs of a Good Government

When one thus asks what is unequivocally the best government, one is posing an unanswerable and indeterminate question, or, if you wish, a question with as many good answers as there are possible combinations in the absolute and relative positions of peoples.

But if one were to ask what sign enables us to recognize that a given people is well or badly governed, that would be a different matter, and the question of fact could be answered.

Yet the question is not resolved, because everyone wants to answer it in his own way. Subjects praise public tranquility; citizens praise individual liberty. The former prefer security of possessions, the latter security of the person; one maintains that the best government is the most severe, the other that it is the mildest; one wants crimes punished, the other wants them prevented; one finds it good to be feared by one's neighbors, the other prefers to be ignored by them; one is happy when money circulates, the other demands that the people have bread. Even if there were agreement on these and other similar points, would we even know? Since moral qualities do not admit of precise measurement, even if there were a consensus on the sign, how could there be about the evaluation?

As for myself, I am always amazed that people fail to recognize such a simple sign or have the bad faith not to agree about it. What is the purpose of a political association? The preservation and the prosperity of its members. And what is the most certain sign that they are being preserved and are prospering? Their numbers and the population. So do not go looking elsewhere for this much disputed sign. Everything else being equal, the government under which the citizens are populous and multiply the most—without external methods, without naturalization, and without colonies—is infallibly the best. A government under which the people diminishes and wastes away is the worst. Calculators, it is now up to you. Count, measure, and compare.[2]

Chapter 10
On the Abuse of Government and Its Tendency to Degenerate

As the particular will is continuously working against the general will, so the government is constantly asserting itself against the sovereignty. The more this effort increases, the more the constitution changes for the worse, and since there is here no other corporate will resisting the will of the prince and establishing an equilibrium with it, sooner or later, the time must come when the prince finally oppresses the sovereign and breaks the social treaty. That is the inherent and inevitable vice which, since the birth of the body politic, tends relentlessly to destroy it, just as old age and death eventually destroy the human body.[1]

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[1] *The greater the area ... distance* [Rousseau's note] This does not contradict what I said above in Book 2, Chapter 9 about the disadvantages of large states. For there the issue was the authority of the government over its members, and here the issue is its power against the subjects. The government's scattered members serve as pressure points for acting on the people from a distance, but it has no pressure point for acting directly on its members themselves. Thus, in one of these cases, the length of the lever is a source of its weakness, and in the other a source of its strength.

[2] *Everything else ... compare* [Rousseau's note] We should use the same principle to judge those ages which deserve pride of place for the prosperity of the human race. We have admired excessively those periods where arts and letters are seen to have flourished, without penetrating the secret object of their culture or without considering its fatal effects. *What was part of slavery, ignorant people called humanity.* Will we never see in the maxims of books the crude interest which prompts the authors to speak out? No, for no matter what they can say, when a country, despite its brilliance, has a declining population, it is not true that all is going well, and the fact that a poet has an income of one hundred thousand livres is not enough to make his age the finest of all. We need to examine, not so much the apparent calm and the tranquility of the leaders, but the wellbeing of entire nations, and above all of the most highly populated states. A hailstorm desolates a few cantons, but it rarely leads to famine. Riots and civil wars make leaders very afraid, but they do not cause genuine disasters for the people, who can even get some relief during a dispute over who will be their tyrants. Their real prosperity or calamity arises from their permanent condition. When everything remains crushed under the yoke, that is when everything declines; that is when their leaders destroy them at will: *Where they make a desert, they call it peace.* When the bickering among our great men disturbed the kingdom of France and the coadjutor of Paris carried a knife in his pocket into the Parliament, that did not prevent the French people from living happily in populous abundance, in an honest and free ease. In an earlier age, Greece flourished in the midst of the most cruel wars: there were rivers of blood, and yet the entire country was covered with men. It would seem, says Machiavelli, that in the midst of murders, proscriptions, and civil wars, our republic became stronger. The virtue of its citizens, their morality, and their independence did more to strengthen it than all the quarrels did to weaken it. A little agitation gives souls their motive springs, and what truly makes the species prosper is not so much peace as liberty. [Rousseau quotes the italicized passages in Latin.]

There are two general ways in which a government degenerates, that is, when it contracts or when the state is dissolved.

Government contracts when it passes from a large number to a small one, that is to say, from democracy to aristocracy and from aristocracy to monarchy. That is its natural tendency.[2] If it were to go in the other direction, from a small number to a large one, we could say it was growing slack, but this reverse development is impossible.

In fact, the government never changes its form except when its spring is exhausted and leaves it too weak to be capable of retaining what it has. Now, if a government were to grow slack while it is still expanding, its power would become completely ineffectual and it would have even less chance of surviving. Hence, as the government gives way, it is necessary to wind up and tighten its spring. Otherwise, the state that it supports would collapse in ruins.

The situation where the state dissolves can come about in two ways.

First, it can dissolve when the prince no longer administers the state according to the laws and usurps sovereign power. At that point a remarkable change occurs: there is a contraction, not of the government, but of the state. What I mean is that the large state is dissolved and within it another is formed, which is composed solely of members of the government and which for the rest of the people is no longer anything but its master and tyrant. As a result, the instant the government usurps the sovereignty, the social pact is broken, and all the common citizens return by right to their natural liberty and are forced, but not obliged, to obey.

The same situation also arises when the members of the government separately usurp the power that they ought to exercise only as a body. That is no less an infraction of the laws and produces an even greater disorder. In that case, one has, so to speak, as many princes as magistrates, and the state, no less divided than the government, dies or changes its form.

When the state is dissolved, the abuse of government, whatever it may be, takes on the common name of *anarchy*. By way of making distinctions, democracy degenerates into *ochlocracy*, and aristocracy into *oligarchy*. I would add that monarchy degenerates into *tyranny*, but this last word is ambiguous and demands an explanation.

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[1] *As the particular … body* Here Rousseau echoes Plato, *Republic*, 580b.

[2] *Government contracts … tendency* [Rousseau's note] The slow formation and the progress of the Republic of Venice in its lagoons offers a notable example of this succession, and it is truly astonishing that over a period of more than twelve hundred years the Venetians seem to be still only at the second stage, which began with the Serrar di Consiglio in 1198. As far as concerns the ancient dukes, for whom the Venetians are criticized, it has been established, no matter what the *Scrutiny of Venetian Liberty* [*Squitino della libertà Veneta*] may say about them, that they were not their sovereigns.

People will not fail to raise the Roman Republic as an objection to what I say. They will claim that it followed a completely opposite development, passing from monarchy to aristocracy and from aristocracy to democracy. I am a long way from thinking of it this way.

What Romulus first established was a mixed government, which quickly degenerated into despotism. For particular reasons the state died before its time, the way one sees a newborn die before reaching adulthood. The expulsion of the Tarquins was the true age of the birth of the Republic. But at first it did not take on a constant form, because, by not abolishing the patriciate, it carried out only half its work. For in this way, a hereditary aristocracy, which is the worst of legitimate administrations, remained in conflict with democracy, and so the form of the government, always uncertain and fluid, was not fixed until the establishment of the tribunes, as Machiavelli has demonstrated. Only then was there a true government and a genuine democracy. At that time, the people were, in fact, not merely sovereign but also magistrate and judge. The senate was only a subordinate tribunal to moderate or concentrate the government. The consuls themselves, although patricians, chief magistrates, and absolute generals in war, were in Rome merely presidents of the people.

From that point on, the government, too, followed its natural tendency and inclined strongly to aristocracy. Once the patriciate, as it were, abolished itself on its own, the aristocracy was no longer confined to the body of patricians, as it is in Venice and Genoa, but was in the body of the senate made up of patricians and plebeians, even in the body of tribunes when they began to usurp active power. For words have no effect on things, and when the people has leaders who govern on its behalf, no matter what name these leaders bear, it is always an aristocracy.

The abuses of the aristocracy gave rise to the civil wars and the triumvirate. Sulla, Julius Caesar, and Augustus became, in fact, veritable monarchs, and finally, under the despotism of Tiberius, the state was dissolved. The history of Rome, therefore, does not contradict my principle but confirms it.

In the ordinary meaning of the term, a tyrant is a king who governs with violence and without regard for justice and the laws. In the precise sense, a tyrant is an individual who arrogates to himself royal authority without having a right to it. This is how the Greeks understood this word tyrant: they gave it indifferently to good and bad princes whose authority was illegitimate.[1] Thus, *tyrant* and *usurper* are two perfectly synonymous words.

In order to give different names to different things, I call someone who usurps royal authority a *tyrant* and someone who usurps the power of the sovereign a *despot.* A tyrant is a man who interferes illegally in order to govern according to the laws; a despot is a man who sets himself above the laws themselves. Thus, a tyrant cannot be a despot, but a despot is always a tyrant.

Chapter 11
On the Death of the Body Politic

Such is the natural and inevitable tendency of the best-constituted governments. If Sparta and Rome perished, what state can hope to last forever? If we wish to form an enduring institution, then let us not dream of making it eternal. In order to succeed we do not have to attempt the impossible or flatter ourselves that we are giving the work of men a stability which human things do not permit.

The body politic, as well as the human body, begins to die from the moment of its birth and carries in itself the causes of its destruction. But both of them can have a more or less robust constitution, one appropriate to preserving them for a longer or shorter time. The human constitution is a work of nature; the constitution of the state is a work of art. Men are not in a position to prolong their lives, but they are in a position to prolong the life of the state as long as possible, by giving it the best possible constitution. The best-constituted one will come to an end, but later than another, unless some unanticipated accident leads to its downfall before its time.

The principle of political life is in the sovereign authority. The legislative power is the heart of the state, and the executive power is the brain, which gives movement to all the parts. The brain can collapse into paralysis and the individual still be live. A man remains an imbecile and lives. But as soon as the heart ceases to function, the animal is dead.

A state does not survive through its laws, but through its legislative power. The law of yesterday is not binding today, but silence is assumed to indicate tacit consent, and it is presumed that the sovereign constantly confirms laws it does not repeal, when it has the power to do so. Everything it has at some point declared as its will is always its will, unless it revokes it.

Why, then, do we pay so much respect to ancient laws? For this very reason: we have to believe that nothing except the excellence of these ancient acts of will could have preserved them for so long and that if the sovereign had not constantly recognized them as beneficial, it would have revoked them a thousand times. That is why in every well-constituted state the laws, far from growing weak, continuously acquire new strength: every day the prejudice towards antiquity makes them more venerable; whereas, wherever the laws grow weak as they get older, we have proof that there is no longer a legislative power and that the state is no longer alive.

Chapter 12
How the Sovereign Authority Is Maintained

Since the sovereign has no force other than the legislative power, it acts only through laws, and since laws are only authentic acts of the general will, the sovereign cannot act except when the people is assembled. Someone will say: an assembly of the people! What a chimera! It is a chimera nowadays, but it was not two thousand years ago. Have men changed their nature?

The boundaries of what is possible in moral matters are less narrow than we think. What limits them is our weaknesses, our vices, and our prejudices. Base souls do not believe in great men. Vile slaves smile with a mocking air at the word liberty.

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[1] *This is how ... illegitimate* [Rousseau's note] *For all those are considered and called tyrants who wield perpetual power in a state which is accustomed to liberty.* Cornelius Nepos in *Life of Miltiades*. It is true that Aristotle in the *Nicomachean Ethics*, Book 8, Chapter 10, makes a distinction between a tyrant and a king, in that the former governs to benefit himself and the latter only to benefit his subjects. But apart from the fact that generally all the Greek writers took the world tyrant in another sense, as is most apparent in the *Hieron* of Xenophon, it would follow from Aristotle's distinction that since the beginning of the world there has not yet been a single king. [Rousseau quotes Nepos in Latin.]

Let us consider what can be done on the basis of what has been done. I will not speak about the ancient republics of Greece, but the Roman Republic was, it seems to me, a great state, and the city of Rome was a great city. The last census in Rome showed that it had four hundred thousand citizens bearing arms, and the last population count of the empire showed more than four million citizens, not including subject peoples, foreigners, women, children, and slaves.

What difficulties might we not imagine in assembling frequently the immense people of this capital and its surroundings? Nonetheless, few weeks went by without the Roman people gathering in an assembly, even on several occasions. It exercised not only the rights of sovereignty, but some of the rights of the government. It dealt with certain business matters and judged certain cases. This entire people was in the public square as magistrates almost as often as they were as citizens.

If we returned to the earliest years of nations, we would find that most of the ancient governments, even the monarchies, like those of the Macedonians and the Franks, had similar councils. Whatever the case, this one fact is incontestable and answers all difficulties: arguing from the existing to the possible seems like good reasoning to me.

Chapter 13
[How the Sovereign Authority Is Maintained] (Continued)

It is not sufficient for the people to have assembled once and set the constitution of the state by giving its sanction to a body of law. Nor is it is sufficient that it have established a government for all time or once and for all organized the election of magistrates. Apart from extraordinary assemblies that unforeseen circumstances can require, there must be fixed and periodic assemblies that nothing can abolish or prorogue, so that on a designated day the people may be legitimately called together by law, without the need for any other formal convocation.

But apart from these assemblies lawfully established by their date alone, every assembly of the people which has not been convened by the magistrates appointed for this action and in accordance with the prescribed procedures should be considered illegitimate and all its actions there null and void, because even the order to assemble should emanate from the law.

As for recalling legitimate assemblies more or less frequently, this depends upon so many considerations that one cannot provide specific rules about the matter. The only thing one can state is that, in general, the more power the government has, the more frequently the sovereign should show itself.

That may be all very well, someone will say, for a single town; but what do we do when the state consists of several? Shall we divide the sovereign authority, or else should we concentrate it in a single town and make all the others subject to its authority?

My answer is that we must do neither one nor the other. First of all, the sovereign authority is simple and singular. It cannot be divided without being destroyed. Second, one town cannot legitimately be made subject to another town, any more than one nation to another nation, because the essence of the body politic is in the agreement between obedience and liberty, and because these words *subject* and *sovereign* are identical correlatives, whose idea is united in the single word *citizen.*

Furthermore, I reply that it is always an evil to combine several towns into a single city and that if we wish to create such a union, we should not flatter ourselves that we can avoid its natural disadvantages. In objecting to someone who wants only small states, one should not point to the abuses of large ones. But how does one give small states enough strength to resist large ones, the way the Greek cities in the past stood firm against the Great King and, more recently, Holland and Switzerland resisted the House of Austria?

Nonetheless, if the state cannot be reduced to suitable limits, there is still one option; that is, not to allow any capital, and to have the seat of government alternate from town to town, assembling in each of them in turn the provincial estates of the country.

Populate the territory evenly, extend everywhere in it the same rights, bring prosperity and life to every place there. In this way the state will become at once as strong and well governed as possible. Remember that town walls are built only from the rubble of houses in the countryside. With every palace I see going up in the capital, I imagine I see an entire region reduced to tumbledown shacks.

Chapter 14
[How the Sovereign Authority Is Maintained] (Continued)

The moment the people is legitimately assembled in the sovereign body, all jurisdiction of the government ceases, the executive power is suspended, and the person of the lowest citizen is as sacred and inviolable as that of the first magistrate, for where we find the person represented, there is no longer a representative. Most of the commotions that arose at Rome in the *comitia* occurred because people were ignorant of or negligent about this rule. At that time, the consuls were only presidents of the people, the tribunes no more than ordinary speakers, and the senate nothing at all.[1]

These intervals of suspended government, when the prince recognizes or ought to recognize a real superior, have always been alarming for the prince, and these assemblies of the people, which are the shield of the body politic and the curb on the government, have, in every age, been horrifying to leaders, who therefore never spare any efforts, objections, difficulties, or promises to discourage the citizens from having them. When the citizens are greedy, timid, and pusillanimous, more in love with ease than with liberty, they do not hold out for long against the redoubled efforts of the government. In this way, the government's power of resistance constantly increases, the sovereign authority vanishes in the end, and most cities collapse and perish before their time.

But between the sovereign authority and arbitrary government, an intermediate power is sometimes introduced, about which we must speak.

Chapter 15
On Deputies or Representatives

As soon as public service ceases to be the principal business of the citizens and they prefer to serve with their purse than with their persons, the state is already close to ruin. Is it necessary to go into combat? They pay soldiers and remain at home. Is it necessary to go to the council? They nominate deputies and remain at home. Thanks to idleness and money, they end up having soldiers to enslave the homeland and representatives to sell it.

Hassles about business and the arts, the avid interest in profit, and the softness and love of commodities change personal services into money. People give up a part of their profit in order to increase it at their leisure. Give money, and soon you will have chains. This word *finance* is a slave's word. It is unknown in a city. In a genuinely free state, the citizens do everything with their own hands and nothing with money. Far from paying to be excused from their duties, they would pay to fulfill them on their own. I am a long way from conventional ideas: I believe compulsory labor is less opposed to liberty than taxes.

The better the state is constituted, the more public affairs predominate over private matters in the minds of the citizens. There is even considerably less private business, because the sum total of communal happiness provides a larger share of the happiness of each individual, so that there remains less for him to seek out in his particular concerns. In a well administered city, each person flies to the assemblies; under a bad government no one wants to take a single step to get there, because no one has any interest in what goes on in them, because people foresee that the general will shall not prevail, and finally because domestic concerns absorb all of their attention. Good laws lead to making better ones; bad laws lead to worse ones. As soon as anyone says of state business, "What does that matter to me?" one should look upon the state as lost.

The cooling of love for the homeland, the activity of private interests, the immense size of states, the conquests, and the abuses of government made people imagine the idea of having deputies or representatives of the people in the national assemblies. This group is what in certain countries people have presumed to call the Third Estate. In this way, the particular interest of two orders is ranked first and second, while the interest of the public is only third.

Sovereignty cannot be represented, for the same reason that it cannot be alienated: it consists essentially in the general will, and the will is not represented. It is what it is, or it is something else; there is no middle ground. Hence deputies of the people are not and cannot be its representatives. They are merely its stewards and cannot conclude anything definitively. Every law that the people have not personally ratified is null and void: it is not a law. The English people think themselves free; they are seriously mistaken. They are free only during the election of the members of parliament. As soon as these are elected, the people are enslaved and are nothing. The use they make of the brief moments of their liberty shows that they certainly deserve to lose it.

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[1] *At that time ... at all* [Rousseau's note] In the general sense of the word in the English parliament. The similarity of these offices would have led to conflict between the consuls and the tribunes, even if all jurisdictions had been suspended.

The concept of representation is modern. It comes to us from feudal government, from that iniquitous and absurd government in which the human species is degraded and the name of man dishonored. In the ancient republics and even in monarchies, the people never had representatives. The word itself was unknown. It is very remarkable that in Rome, where the tribunes were so sacrosanct, no one even imagined that they could usurp the functions of the people, and that in the midst of such a large multitude, they never attempted to pass a single plebiscite on their own authority. However, we can get some idea of how such a crowd of people sometimes created difficulties by what happened at the time of the Gracchi, when one group of citizens delivered its vote from the rooftops.

Where right and liberty are everything, inconveniences are nothing. Among this wise people, everything was carried out in an appropriately just manner. Lictors[1] were allowed to do what the tribunes would not have dared to do, for the people did not fear its lictors would want to represent it.

However, in order to explain how the tribunes did represent the people sometimes, it is enough to conceive how the government represents the sovereign. Since the law is only a declaration of the general will, it is clear that in the legislative power the people cannot be represented; but it can and must be represented in the executive power, which is merely force applied to the law. This makes it clear that, if we examined matters thoroughly, we would find that very few nations have laws. Whatever the case, it is clear that the tribunes, having no share of executive power, could never represent the Roman people through the rights of their office, but only by usurping those of the senate.

Among the Greeks, everything the people had to do, it did by itself. It was constantly assembled in the public square. The people lived in a mild climate; it was not greedy; slaves carried out the work; its important business was its liberty. No longer having the same advantages, how do you preserve the same rights? Your harsher climates give you more needs.[2] For six months of the year you cannot use the public square, your murmuring voices cannot make themselves understood in the open air, you focus more on your profits than on your liberty, and you fear slavery far less than you do poverty.

What? Is liberty maintained only with the help of slavery? Perhaps these two extremes do meet. Everything that is not in nature has its disadvantages, civil society more than all the rest. There are certain unhappy circumstances where we cannot preserve our liberty except at the expense of another's, and where the citizen cannot be perfectly free except when the slave is thoroughly enslaved. That was the situation in Sparta. As for you, modern people, you do not have slaves, but you are slaves. You pay for their liberty with your own. You boast of this preference in vain; in it I find more cowardice than humanity.

In saying all this, I do not mean that we need to have slaves or that the right of slavery is legitimate, since I have proved the opposite. I am only stating the reasons why modern people, who think themselves free, have representatives, and why ancient peoples did not have them. Whatever the case, the moment a people gives itself representatives, it is no longer free. It no longer exists.

All things well considered, I do not see how, from this point on, it is possible for the sovereign to preserve among us the exercise of its rights, unless the city is very small. But if it is very small, will it not be conquered? No. Later on I will demonstrate how one can combine the external power of a great people with the easily managed civil forms and good order of a small state.[3]

Chapter 16
That the Institution of Government Is Not a Contract

Once the legislative power has been properly established, it is a matter of setting up the executive power in a similar fashion; for since the latter, which operates only by particular actions, is not essentially part of the former, it is naturally separate from it. If it were possible for the sovereign, in its capacity as sovereign, to possess executive power, right and fact would be so confused that one would no longer know what was law and what was not, and the body politic, denatured in this way, would soon fall prey to the violence it was instituted to prevent.

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[1] *Lictors* Officers of the ancient Roman government, extending back to the period of kings. Originally functionaries of the kings who helped clear crowds for the monarchs, they evolved in the late Roman Republic to serve as legislative representatives.

[2] *harsher climates … needs* [Rousseau's note] To adopt in cold countries the luxury and softness of the Orientals is to wish to give oneself their chains. It is to submit to those chains even more unavoidably than they did.

[3] *I will demonstrate … state* [Rousseau's note] That is what I had proposed to do in the sequel to this work, when, in dealing with external relations, I would have come to confederations, a completely new subject whose principles have yet to be established.

Since the citizens are all equal through the social contract, all of them can prescribe what everyone should do, but no one has a right to demand that another person do what he does not do himself. Now, strictly speaking, it is this right, indispensable for providing life and movement to the body politic, that the sovereign gives to the prince by establishing the government.

Several people have maintained that this act of establishment was a contract between the people and the leaders it gives itself, an agreement through which the two parties stipulate the conditions under which one is obliged to command and the other to obey. It will be agreed, I am sure, that this is a strange way to enter into a contract! But let us explore whether this opinion can be sustained.

First, the supreme authority can no more modify itself than it can alienate itself. To limit it is to destroy it. It is absurd and contradictory for the sovereign to give itself a superior; to oblige itself to obey a master is to return to complete liberty.

Moreover, it is clear that this contract between the people and these or those persons would be a particular act, and thus it follows that this contract could neither be a law nor an act of sovereignty and that, as a result, it would be illegitimate.

One sees as well that the contracting parties would be, with respect to each other, under only one law—the law of nature—without any guarantee of their reciprocal commitments, a situation entirely repugnant to a civil state. Since the person who has the power in his grip is always the master of how it is applied, it would be just like giving the name "contract" to the act of a man who said to someone else, "I am giving you all my possessions, on the condition that you give me back as many of them you please."

There is only one contract in the state, and that is the contract of association, which, in itself, excludes all others. It is impossible to imagine any other public contract that was not a violation of the first.

Chapter 17
On the Institution of Government

How then must we conceptually grasp the act by which government is instituted? I will first observe that this act is complex or composed of two others, namely, the establishment of the law and the execution of the law.

In the first of these acts, the sovereign decrees that there will be a governmental body established in this or that form. It is clear that this act is a law.

In the second, the people nominate the leaders who will be responsible for the government established. Now, since this nomination is a particular act, it is not a second law, but merely a consequence of the first and a function of government.

The difficulty is to understand how one can have an act of government before the government exists, and how the people, who are only sovereign or subject, can become prince or magistrate in certain circumstances.

Here again we discover one of those astonishing properties of the body politic by which it reconciles apparently contradictory operations. For this reconciliation is brought about by a sudden transformation of the sovereignty into a democracy, so that, without any perceptible change and merely by a new relation of all to all, the citizens become magistrates and pass from general acts to particular ones, from laws to executing them.

This change in relation is not a speculative subtlety without practical examples. It happens every day in the English parliament, where the Lower House at certain times turns itself into a large committee, in order to have a better discussion of its business, and thus becomes a simple commission of the sovereign court it was just a moment before. The result is that it later reports to itself, as the House of Commons, on what it has just settled in the large committee and deliberates again under one name what it has already resolved under another.

Democratic government has this unique advantage that it can, in fact, be established by a simple act of the general will. After this, the provisional government remains in power, if that is the adopted form, or establishes in the name of the sovereign the government prescribed by the law, and thus everything proceeds in an authorized way. It is not possible to institute government legitimately in any other manner, without renouncing the principles established above.

Chapter 18
Ways to Prevent the Usurpations of the Government

As a result of these clarifications, it follows that we have confirmed Chapter 16: the act which institutes the government is not a contract but a law, and those entrusted with executive power are not masters of the people but its officers. The people can appoint them and discharge them when it wishes. For these officials, it is not a question of entering into a contract but of obeying; in taking on the functions that the state imposes on them, they are merely fulfilling their duty as citizens, without having any kind of right to dispute the conditions.

Thus, when it happens that the people institutes a hereditary government, whether a monarchy within a family or an aristocracy within a class of citizens, it is not undertaking a firm commitment, but is giving the administration a provisional form until such time as the people desires to set up an alternative arrangement.

It is true that these changes are always dangerous and that one should never touch an established government except when it becomes incompatible with the public good.[1] But such circumspection is a political maxim and not a rule of right, and the state is no more obliged to leave civil authority to its leaders than it is to leave military authority to its generals.

It is also true that in such a case one cannot be too careful about observing all the formalities necessary for distinguishing between a regular, legitimate act and a seditious tumult, and between the will of an entire people and the clamors of a faction. Here, above all, one must not concede anything to potentially dangerous cases other than what one cannot refuse, following the full strictness of the law. From this obligation the prince also derives a great advantage for preserving his power in spite of the people, without anyone being able to claim that he has usurped it. For while the prince appears to be using only his rights, it is very easy for him to extend them and, under the pretext of public tranquility, to prevent public assemblies whose purpose is to re-establish good order. As a result, he takes advantage of a silence which he does not allow people to break, or of irregularities which he himself has had committed, in order to assume that he has the support of those who have been silenced by fear and to punish those who dare speak out. This is how the *Decemvirs*, who were at first elected for one year and then continued for another year, tried to retain their power in perpetuity, by not permitting the *comitia* to assemble. And it is by this simple means that all governments in the world, once vested with public power, sooner or later usurp sovereign authority.

The periodic assemblies I discussed above are appropriate to prevent or postpone such a disaster, above all when there is no need for them to be formally summoned. For then the prince cannot prevent them without openly announcing that he is a lawbreaker and an enemy of the state.

These assemblies, whose sole purpose is to maintain the social treaty, must always open with two propositions which can never be suppressed and which are voted on separately:

First: *Is it the pleasure of the sovereign to maintain the present form of government?*

Second: *Is it the pleasure of the people to leave the administration to those who are presently in charge of it?*

Here I am assuming what I believe I have shown, namely, that in the state there is no fundamental law that cannot be revoked, not even the social pact. For if all the citizens assembled in order to break this pact by common agreement, there is no possible doubt that the breach would be thoroughly legitimate. Grotius even thinks that each person can renounce the state in which he is a member and regain his natural liberty and his possessions by leaving the country.[2,3] Now, it would be absurd if all the citizens combined could not do what each one of them can do on his own.

End of Book 3

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[1] *It is true … public good* This passage echoes Aristotle, *Politics*, 2.8, 1269b12–19.

[2] *each person can renounce … country* [Rousseau's note] On the condition, of course, that he does not leave in order to evade his duty and to avoid serving his homeland at a time when she has need of us. Escaping then would be a criminal and punishable act. It would no longer be a departure, but desertion.

[3] *Grotius even thinks … country* See Grotius, *Rights of War and Peace*, 2.5.24.

Book 4

Chapter 1
That the General Will Is Indestructible

As long as several men have assembled and consider themselves a single body, they have only a single will, which is concerned with communal preservation and general wellbeing. Then all the springs of the state are vigorous and simple, its principles clear and luminous, there are no confused and contradictory interests, and the common good manifests itself clearly everywhere, requiring only good sense to be perceived. Peace, unity, and equality are the enemies of political subtleties. Men who are upright and straightforward are difficult to deceive because of their simplicity. They are not taken in by ruses and sophisticated pretexts. They are not even shrewd enough to be fooled. When we see among the happiest people of the world groups of peasants governing the affairs of the state under an oak tree and always behaving wisely, is it possible to prevent ourselves despising the refinements of other nations, which make themselves famous and miserable with so much art and mystery?

A state governed in this manner requires very few laws, and as it becomes necessary to promulgate new ones, this need is universally seen. The first man to propose them merely expresses what they all have already felt, and it is not a question of trickery or eloquence to get passed into law what each person has already resolved to do, as soon as he is sure that the others will act as he does.

What leads reasoners astray is that they examine only states that have been poorly constituted since their origin and are struck by the impossibility of maintaining there a political order similar to the one just mentioned. They amuse themselves in imagining all the silly things a clever knave, someone with an insinuating way of speaking, could convince the people of Paris or London to believe. They do not realize that Cromwell would have been sent to the bells by the people of Berne[1] and the Duke of Beaufort would have been disciplined by those in Geneva.

But when the social tie begins to relax and the state to weaken, when particular interests begin to make themselves felt and small societies begin to exert an influence on the large one, the common interest changes and finds opponents, unanimity no longer rules in the voting, the general will is no longer the will of all, contradictions and debates arise, and the best opinions are not adopted without disputes.

Finally, when the state, close to ruin, no longer survives except in an illusory and empty form, when the social bond is broken in every heart and the vilest interest insolently adorns itself with the sacred name of the public good,[2] at that point the general will becomes mute, all people, guided by secret motives, no more state their views as citizens than if the state had never existed, and iniquitous decrees—whose purpose is merely to advance a particular interest—get passed under the false name of laws.

Does it follow from this that the general will has been annihilated or corrupted? No. It is always constant, unalterable, and pure. But it has been subordinated to other wills that prevail over it. Each man, in detaching his interest from the common interest, sees well enough that he cannot completely separate from it, but his part of the public evil appears negligible to him alongside the exclusive benefit he means to appropriate for himself. Apart from this particular benefit, he desires the general good in his own interest as strongly as anyone else. Even in selling his vote for money, he does not extinguish the general will within him. He avoids it. The fault he commits is changing the nature of the question and responding to something other than what is asked. As a result, instead of declaring with his vote, "It is advantageous to the state," he says, "It is advantageous to this man or to this party that such and such an opinion passes." Thus, the law of public order in the assemblies is not so much to maintain the general will as it is to see to it that it is always questioned and always responds.

Here I could offer a number of reflections on the simple right of voting in every act of sovereignty, a right that nothing can remove from the citizens, as well as on the right to state one's opinion, to make proposals, to divide, and to discuss things that the government always takes great care not to allow, except to its members. But this important matter would require a separate treatise, and I cannot say everything in this one.

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[1] *Cromwell ... Berne* In this context, "sent to the bells" means "sent to perform forced labor."

[2] *Finally ... public good* There is evidence elsewhere in Rousseau's texts to suggest that he believes this has largely already happened. See Part II of his *Discourse on the Origins of Inequality*.

Chapter 2
On Voting

We see from the preceding chapter that the way in which general affairs are dealt with can provide a reasonably accurate indication of the actual state of morality and of the health of the body politic. The more the assemblies are governed by agreement, that is to say, the more opinions approach unanimity, the more the general will dominates as well. But long debates, dissention, and uproar announce the ascendancy of particular interests and the decline of the state.

This appears less evident when two or more orders enter into the state's constitution, as the patricians and the plebeians did in Rome. Their quarrels often disturbed the ***comitia***, even in the best periods of the Republic. But this exception is more apparent than real, for then, thanks to the inherent defect in the body politic, they had, so to speak, two states in one. What is not true about the two together is true about each one separately. And, in fact, even in the stormiest times, the plebiscites of the people, when the senate did not interfere with them, always passed peacefully with a large majority of votes. Since the citizens had only one interest, the people had only one will.

At the other extremity of the circle, unanimity returns. This happens when the citizens, having fallen into servitude, no longer have either liberty or will. At that point, fear and flattery change voting into acclamations. People no longer deliberate: they adore, or they curse. Such was the despicable way of expressing opinions in the senate under the emperors. Sometimes that was done with ridiculous precautions. Tacitus observes that under Emperor Otho, while the senators heaped insults on Vitellius, at the same time they arranged to make a dreadful noise, so that if by chance he became their master, he could not know what each of them had said.[1]

From these various considerations arise the principles according to which one should regulate procedures for counting votes and comparing opinions, according to whether the general will is more or less easy to recognize and the state is more or less in decline.

There is only a single law that by its nature demands unanimous consent. That is the social pact. For the civil association is the most voluntary act in the world. Since every man is born free and master of himself, no one can, under whatever pretext, make him a subject without his consent. To decide that the son of a slave is born a slave is to decide that he is not born a man.

Therefore, if at the time of the social pact there are those who oppose it, their opposition does not invalidate the contract; it simply prevents them from being included in it. These are foreigners among the citizens. Once the state is established, to be resident in it indicates consent. To live in the territory is to submit oneself to the sovereign.[2]

Other than this original contract, the voice of the majority is always binding on all the others. That is a consequence of the contract itself. But someone will ask how a man can be free and forced to conform to wills that are not his own. How are opponents both free and subject to laws to which they have not consented?

My answer is that the question is poorly framed. The citizen consents to all the laws, even to those passed in spite of him, and even to those that punish him when he dares to violate any one of them. The constant will of all the members of the state is the general will; through that, they are citizens and free.[3] When a law is proposed in the assembly of the people, what is being asked of them is not precisely whether they approve the proposal or reject it, but whether or not it conforms to the general will, which is theirs. In giving his vote, each person delivers his opinion on this question, and the declaration of the general will is obtained by counting the votes. Thus, when an opinion contrary to my own prevails, that proves nothing other than that I was mistaken and that my estimate of the general will was wrong. If my particular opinion had prevailed, I would have done something different from what I had intended and, in that case, I would not have been free.

This assumes, it is true, that all the characteristics of the general will are still in the majority. When they cease to be, whatever side one takes, there is no longer any liberty.

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[1] *Tacitus observes ... said* *Histories*, Book I, § 85.

[2] *Once the state ... sovereign* [Rousseau's note] This should always be understood as applying to a free state. For in other places, family, possessions, lack of shelter, necessity, and violence can keep a resident in the country in spite of himself. In that case, his remaining there, in itself, no longer presupposes consent to or violation of the contract.

[3] *The constant will ... free* [Rousseau's note] In Genoa, one reads the word *Liberty* on the front of prisons and on the chains of the galley slaves. This use of the motto is fine and just. In fact, it is only the malefactors of all stations who prevent the citizen from being free. In a country where all such people were in the galleys, one would enjoy the most perfect freedom.

By demonstrating above how particular wills are substituted for the general will in public deliberations, I have sufficiently indicated the practical ways of preventing this abuse. I shall have more to say about that later on. As for the proportional number of votes for declaring this will, I have also provided the principles upon which one can determine it. The difference of a single vote breaks the equality; a single opposing vote breaks the unanimity. But between unanimity and equality, there are several unequal divisions of the votes, at each of which this number can be fixed in accordance with the condition and the needs of the body politic.

Two general principles can help to govern these relationships: one is that the more important and serious the deliberations are, the more the prevailing opinion should approach unanimity; the other is that the more the matter being debated requires a quick decision, the more one should restrict the prescribed difference in the number of votes. In deliberations where it is necessary to reach a decision immediately, a majority of a single vote should be sufficient. The first of these principles seems more appropriate to laws, and the second to business. Whatever the case, it is by their combination that one establishes the best ratios one can provide for announcing a majority decision.

Chapter 3
On Elections

With respect to elections of the prince and the magistrates, which are, as I have said, complex actions, there are two ways to proceed, that is, by choice and by lot. These have both been used in various republics, and nowadays a very complicated mixture of the two still takes place in the election of the Doge in Venice.

"Voting by lot," says Montesquieu, "is in the nature of a democracy." I agree with that, but why should that be the case? "Drawing lots," he continues, "is a way of electing that harms no one; it leaves every citizen with a reasonable hope of serving his homeland."[1] These are not reasons.

If we bear in mind that the election of leaders is a function of the government and not of sovereignty, we will see why a lottery is the method more natural to a democracy, where the smaller the number of administrative acts, the better the administration.

In every genuine democracy, being a magistrate is not an advantage but an onerous duty, which cannot be imposed justly on a particular person rather than on someone else. Only the law can impose this office on the person to whom the lot falls. For in such a case conditions are equal for everyone, and the choice does not depend on any human will. There is no particular application that alters the universality of the law.

In an aristocracy, the prince chooses the prince, the government preserves itself on its own, and there voting is quite appropriate.

Far from destroying this distinction, the example of the election of the Doge of Venice confirms it. This combined form suits a mixed government. For it is a mistake to assume that the government of Venice is a genuine aristocracy. If the people there have no share in the government, the nobility is itself the people. A multitude of poor Barnabites has never come close to attaining any magistrate's office, and its nobility is merely the empty title of Excellency and the right to attend the Grand Council. Since this Grand Council has as many members as our General Council at Geneva, its illustrious members have no more privileges than our ordinary citizens. It is certain that, apart from the extreme disparity between the two republics, the bourgeoisie of Geneva is the exact equivalent of the patriciate in Venice. Our natives and inhabitants correspond to the city dwellers and the people of Venice, while our peasants correspond to the subjects on the mainland. Finally, however one thinks about that republic, if we set aside its size, its government is no more aristocratic than our own. The entire difference is that, since we in Geneva do not have a leader for life, we do not have the same need for drawing lots.

Elections by lot would have few disadvantages in a genuine democracy, where, because everything was equal in morals and talents, as well as in principles and wealth, the choice would become almost indifferent. But I have already said that there is no true democracy.

When choice and lots are used in combination, the former ought to fill positions that require specific talents, like military appointments, and the latter is appropriate for positions where good sense, justice, and integrity suffice, like those with judicial responsibilities; because in a well-constituted state these qualities are common to all citizens.

Neither lots nor voting have any place in monarchical government. Since the king is by right the sole prince and the only magistrate, the choice of his lieutenants belongs to him alone. When the Abbé de St. Pierre proposed to increase the number of the councils of the King of France and to elect their members by ballot, he did not realize that he was proposing to change the form of the government.[1]

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[1] *Voting by lot ... homeland* See Montesquieu, *Spirit of the Laws*, 2.2.

It remains for me to discuss the manner of giving and collecting votes in the assembly of the people. But perhaps the history of the political order of the Romans in this matter will explain more palpably all the principles I could set down. A judicious reader will not find it beneath him to read in some detail how public and private affairs were dealt with in a council of two hundred thousand men.

Chapter 4
On the Roman Comitia

We have no well-confirmed records of the early days of Rome.[2] It even seems highly likely that most of the things people recite about it are fables.[3] And, generally speaking, the most instructive part in the annals of a people, the history of its founding, is what we lack the most. Experience teaches us every day the causes that give rise to the revolutions of empires, but since new peoples are no longer being formed, we have hardly anything other than conjectures to explain how they were developed.

The customs we find established attest at least to the fact that these customs had an origin. Of the traditions that go back to these origins, the ones that carry the greatest authority and are confirmed by the most compelling reasons should pass for the most certain. Those are the principles I attempted to follow in exploring how the freest and most powerful people on earth exercised its supreme power.

After the founding of Rome, the emerging republic, that is to say, the army of the founder, made up of Albans, Sabines, and foreigners, was divided into three classes, which, as a result of this division, took the name of *tribes*. Each of these tribes was subdivided into ten *curias*, and each curia into *decurias*, at the head of which were placed leaders called *curions* and *decurions*.

Beyond that, a body of one hundred horsemen or knights, called a *century*, was taken from each tribe. From that we recognize that these divisions, for which there is hardly any need in a market town, were at first merely military. But it seems that an instinct for greatness led the small town of Rome to give itself in advance a political structure suitable for the capital of the world.

From this initial division a disadvantage soon resulted. The tribe of Albans (*Ramnenses*) and the tribe of Sabines (*Tatienses*) remained always in the same condition, while the tribe of foreigners (*Luceres*) steadily increased, thanks to the constant arrival of foreigners, so that it soon surpassed the other two. The remedy Servius found for this dangerous abuse was to change the means of division. He abolished classification by race and substituted for it another based on the places in the town where each of the tribes lived. Instead of three tribes, he created four, each of which occupied and took its name from one of the hills of Rome. Thus, while correcting present inequalities, he also prevented any future reoccurrence of the problem. In order that this division would apply not only to places but to people, he forbade the inhabitants of one quarter from moving into another, which prevented the races from mixing together.

Servius also doubled the three old centuries of knights and added twelve others, but always keeping the old names, a simple and judicious way of successfully distinguishing the body of knights from that of the people, without raising a popular murmur.

To these four urban tribes, Servius added fifteen others, called rustic tribes, because they were made up of people who lived in the country, separated into fifteen cantons. Later on, the same number of new tribes was created, and the Roman people finally found itself divided into thirty-five tribes. It remained fixed at this number until the end of the Republic.

From this distinction between the city and the rustic tribes, there resulted one effect worth observing, because there is no other example of it, and because Rome owed to it the preservation of its moral traditions and, at the same time, the expansion of its empire. One would have thought that the urban tribes would soon arrogate power and honors to themselves and would not wait to demean the country tribes. What happened was just the reverse. The early Romans' taste for country life is well-known. This taste came to them from the wise founder, who linked liberty with rustic and military work and, so to speak, relegated to the city the arts, trades, intrigue, fortune, and slavery.

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[1] *When the Abbé ... government* A reference to the Abbé de St. Pierre, *Discourse on Polysynody.*

[2] *We have no ... early days of Rome* Rousseau himself is apparently relying on Machiavelli's *Discourses on Livy* and Carolus Sigonius's *De antiquo Jure rivium romanorum.*

[3] *most of the things ... fables* [Rousseau's note] The name *Rome*, which people claim comes from *Romulus*, is Greek and signifies *force*. The name *Numa* is also Greek and signifies *law*. How likely is it that the first two kings of this town would have had in advance names so well related to what they achieved?

In this way, since all of Rome's illustrious persons lived in the country and cultivated the soil, Romans grew accustomed to looking only there for supporters of the Republic. Because this was the condition of the most worthy patricians, it was honored by everyone. The simple and laborious life of the villagers was preferred to the leisurely and slack life of the bourgeoisie in Rome, and the sort of person who would have been merely an unhappy proletarian in the town became a respected citizen by working in the fields. It is not without reason, said Varro, that our magnanimous ancestors established in the village the nursery of those robust and valiant men who defended them in times of war and fed them in times of peace. Pliny states positively that the country tribes were honored because of the men who made them up; whereas, the cowards whom people wanted to dishonor were transferred in disgrace to the town tribes. When the Sabine Appius Claudius came to settle in Rome, he was lavished with honors there and enrolled in a country tribe that later took his family name. Finally, freedmen all entered the urban tribes, never the country ones, and during the entire Republic, there is not a single example of any of these freedmen attaining any magistrate's office, despite their becoming citizens.

This principle was excellent, but it was pushed so far that it finally resulted in a change and a definite abuse within the political order.

First, the censors, after having for a long time arrogated to themselves the right of arbitrarily transferring citizens from one tribe to another, allowed most people to have themselves enrolled in whatever tribe they wished. This permission certainly did no good and deprived the censorship of one of its important resources. Furthermore, the great and powerful all had themselves enrolled in the country tribes, while the freedmen, once they became citizens, remained with the populace in the urban tribes, so that, in general, the tribes no longer had any place or territory. Instead, they all found themselves so intermixed that they could no longer recognize the members of each tribe except from the registers. As a result, the idea of the word *tribe* went from something referring to property to something personal, or rather, it became almost a chimera.

It also turned out that since the urban tribes were more at the center of things, they often found themselves stronger in the *comitia*, and they sold the state to those who deigned to buy the votes of the rabble who made up those tribes.

As far as the *curias* are concerned, the founder had made ten in each tribe. Thus, the entire Roman people enclosed at that time within the town walls was composed of thirty *curias*, each of which had its temples, its gods, its officials, its priests, and its festivals, called *compitalia*, which were similar to the *paganalia* held by the rustic tribes later on.

When Servius made his new division, since he could not distribute this number of thirty *curias* equally among his four tribes, he did not wish to meddle with them, and the *curias* became an additional division of those living in Rome, independent of the tribes. But there was no question of *curias* in the rustic tribes or in the people who made them up, because, as the tribes had become a purely civil arrangement and that another procedure had been introduced for levying troops, the military divisions of Romulus were superfluous. Thus, although every citizen was enrolled in a tribe, there were many who were not enrolled in a *curia*.

Servius made still a third division, unrelated to the two preceding ones, which, thanks to its effects, became the most important of all. He separated all the Roman people into six classes, which he distinguished neither by location nor by person, but by possessions, so that the first classes were filled with the rich, the last ones with the poor, and the middle ones with those who enjoyed a modest fortune. These six classes were subdivided into one hundred and ninety-three other bodies, called centuries, and these bodies were distributed in such a way that the first class alone included more than half of them and the last class included only one. Thus, the class with the smallest number of men had the largest number of centuries, and the entire last class was counted as only one subdivision, although by itself it contained more than half the inhabitants of Rome.

To ensure that the people were less aware of the consequences of this last arrangement, Servius pretended to give it a military air. He inserted into the second class two centuries of armourers and into the fourth class two centuries of those who made instruments of war. In each class except the last, he distinguished the young and the old, that is, those who were obliged to bear arms and those whose age gave them legal exemption from this duty. This distinction, more than the one based on possessions, made it necessary to hold frequent renewals of the census or head count. Finally, Servius wanted the assembly to be held on the Field of Mars, and all those whose age made them eligible to serve to come there with their weapons.

The reason he did not follow this same division of young and old in the last class is that the populace making it up was not given the honor of bearing arms on behalf of the homeland. A person had to possess a hearth in order to obtain the right to defend it, and of all those countless hordes of the dispossessed who nowadays make the armies of kings sparkle, there is perhaps not one who would not have been chased away in contempt from a Roman cohort, when soldiers were the defenders of liberty.

However, in the last class, there was also a distinction made between the *proletarians* and those who were called the *capite censi*. The former, who were not entirely reduced to nothing, at least provided citizens to the state and sometimes even soldiers in times of pressing need. As for those who possessed nothing at all and who could not be tallied except by counting heads, they were looked upon as nullities. Marius was the first who deigned to enlist them.

Without determining here whether this third way of counting the inhabitants was inherently good or bad in itself, I think I can affirm that the only thing that could have made it workable was the simple morality of the early Romans, their disinterestedness, their taste for agriculture, and their scorn for commerce and for love of profit. Where is the modern people among whom voracious greed, restless spirits, intrigue, constant displacements, and perpetual changes in fortune could allow a similar arrangement to last for twenty years without convulsing the whole state? We must also observe that in Rome morality and censorship, which were stronger than this system, corrected its defects, and that a rich man might see himself relegated to the class of the poor for making too great a display of his wealth.

From all this, one can readily understand why people almost always speak of only five classes, although there were, in fact, six of them. Since the sixth furnished neither soldiers for the army nor voters for the Field of Mars, and played hardly any role in the Republic, it was rarely thought to count for anything.[1]

These were the different divisions of the Roman people. Let us now see the effect these divisions produced in the assemblies. When these assemblies were legally summoned, they were called *comitia*. They were normally held in the public square in Rome or in the Field of Mars and were differentiated into *comitia* by *curias*, *comitia* by centuries, and *comitia* by tribes, according to which of these three arrangements had been ordered. The *comitia* by *curia* had been established by Romulus, the *comitia* by centuries by Servius, and the *comitia* by tribes by the tribunes of the people. No law was sanctioned and no magistrate elected except in the *comitia*, and since there was no citizen who was not enrolled in a *curia*, in a century, or in a tribe, it followed that no citizen was excluded from the right to vote, and that the Roman people was truly sovereign, in right and in fact.

In order for the *comitia* to be legitimately assembled and for what happened there to have the force of law, three conditions had to be satisfied: first, the body or the magistrate who summoned the assemblies had to be vested with the necessary authority to do so; second, the assembly had to take place on one of the days permitted by law; and third, the auguries had to be favorable.

The reason for the first condition requires no explanation. The second is a matter of policy. Thus, it was not permitted to hold *comitia* on festival or market days, when the country people came to Rome to conduct their business and did not have the time to spend all day in the public square. With the third condition, the senate held in check a proud and boisterous people, and appropriately restrained the zeal of seditious tribunes. However, the latter discovered more than one way to evade this difficulty.

The laws and the election of leaders were not the only matters submitted to the judgment of the *comitia*. Since the Roman people had seized control of the most important functions of government, we could say that the fate of Europe was settled in its assemblies. This variety in the purposes of these assemblies gave rise to the various forms they assumed, according to the matters on which they had to pronounce.

In order to assess these different forms, all we have to do is compare them. In establishing the *curias*, Romulus was intending to use the people to restrain the senate and the senate to restrain the people, while exercising equal control over both. Hence, with this form of assembly he gave the people complete authority of numbers to balance the authority of power and wealth that he left to the patricians. However, following the spirit of monarchy, he nevertheless left the patricians a greater advantage, thanks to the influence of their clients on the majority of votes. This admirable institution of patrons and clients was a masterpiece of politics and humanity, without which the patriciate—so contrary to the spirit of the Republic—could not have survived. Rome alone had the honor of giving the world this excellent example, which never resulted in any abuse and which, in spite of that, has never been followed.

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[1] *Since the sixth … anything* [Rousseau's note] I say on *the Field of Mars*, because it was there that the comitia by centuries assembled. In the two other arrangements, the people gathered *at the forum* or elsewhere, and on those occasions the *capite censi* had as much influence and authority as the foremost citizens.

Since this same form of *curias* lasted under the kings up to Servius, and since the reign of the last Tarquin was not considered legitimate, royal laws were generally designated by the name *leges curiatae* [laws of the curias].

Under the Republic, the *curias*, always limited to the four urban tribes and including only the population of Rome, could work neither with the senate, which stood at the head of the patricians, nor with the tribunes, who, although plebeians, were leading figures among the affluent citizens. Hence, the *curias* fell into disrepute and became so degraded that their thirty lictors, once assembled, used to do what the *comitia* by *curia* should have done.

The division by centuries was so favorable to the aristocracy that at first one does not understand how the senate did not always prevail in the *comitia* with this name, in which the consuls, censors, and the other cural magistrates were elected. In effect, of the one hundred and ninety-three centuries which formed the six classes of all the Roman people, the first class contained ninety-eight, and since the votes were counted only by centuries, this class by itself prevailed over all the others in the number of votes. When all these centuries were in agreement, they did not even continue to collect the votes. What the smallest number had determined passed for a decision by the multitude, and one could say that in the *comitia* by centuries, affairs were governed more by the preponderance of money than of votes.

However, this extreme authority was tempered in two ways. First, the tribunes, as a rule, were in the class of the wealthy, which always had a large number of plebeians as well. Hence, they counterbalanced the influence of the patricians in this first class.

The second way consisted of the following: instead of having the centuries begin by voting according to their order, which would have always made them start with the first class, they chose one century by lot, which went ahead with the election on its own.[1] After that, all the centuries were summoned on a different day, according to their rank, repeated the same election, and usually confirmed it. In this way, the authority of example was removed from rank in order to assign it by lot, in accordance with democratic principle.

Yet another advantage resulted from this practice. The citizens in the countryside had time between the two elections to inform themselves about the merits of the candidate who had been provisionally nominated, so that they did not cast their votes without knowing about the case. However, under the pretext of speed, this practice was finally abolished, and the two elections took place on the same day.

The *comitia* by tribes were, strictly speaking, the council of the Roman people. They were convened only by the tribunes. In them the tribunes were elected and passed their plebiscites. The senate had no standing there. Not only that, it did not even have the right to be present. Forced to obey laws on which they could not vote, the senators were, in this respect, less free than the lowest citizens. This injustice was totally misconceived and by itself was enough to invalidate the decrees of a body to which all its members were not admitted. If all the patricians had been present at these *comitia*, in accordance with the right they possessed as citizens, and had then become ordinary individuals, they would have had hardly any influence on a form of voting which counted heads, where the lowest proletarian had as much power as the leading member of the senate.

Thus, we see that, apart from the resulting order from these various ways of dividing up so great a people to collect their votes, these distributions were not reducible to inherently indifferent forms, but that each one had effects relative to the views that made it the preferred arrangement.

Without going into further details about this matter, we can see from the preceding explanations what resulted: the *comitia* by tribes were the most favorable to popular government, while the *comitia* by centuries were the most favorable to the aristocracy. As for the *comitia* by *curias*, where the Roman populace by itself formed the plurality, because they were good only for favoring tyranny and malicious designs, they went on to fall into disrepute. Even seditious men abstained from a means that made their projects too prone to discovery. It is certainly true that the entire majesty of the Roman people was found only in the *comitia* by centuries, the only assemblies that included everybody, given that rustic tribes were not part of the *comitia* by *curias* and the senate and patricians were not part of the *comitia* by tribes.

As for the method of collecting the votes, among the early Romans that was as simple as their morality, although less simple than in Sparta. Each man shouted out his vote, and a clerk duly recorded it. The majority of votes in each tribe determined the tribe's vote, and a majority of the votes among the tribes determined the people's vote. The *curias* and centuries did the same. This practice was good as long as honesty ruled among the citizens and each man was ashamed to give his vote publicly for an unjust proposal or an unworthy issue. But when the people became corrupt and votes were purchased, it was appropriate for votes to be given in secret, so that a lack of trust would discourage those purchasing votes, and scoundrels had a way of avoiding treachery.[1]

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[1] *The second way ... its own* [Rousseau's note] The century chosen by lot in this manner was called *praerogativa*, because it was the first one asked for its vote, and from this practice the word *prerogative* is derived.

I know that Cicero criticizes this change and attributes to it, in part, the ruin of the Republic.[2] But although I am aware of the weight one should give to Cicero's authority on this point, I cannot agree with his opinion. On the contrary, I think that the failure to make a sufficient number of similar changes hastened the downfall of the state. Just as the regimen of healthy people is inappropriate for the sick, so one should not wish to govern a corrupt people with the same laws that are appropriate for a good people. Nothing proves this principle better than the long life of the Venetian Republic, whose simulacrum still exists, solely because its laws are suitable only for wicked men.[3]

The citizens were thus given tablets on which each person could vote without anyone knowing what his opinion was. They also instituted new formalities for collecting the tablets, counting the votes, comparing the numbers, and so on. These did not prevent people from frequently suspecting the trustworthiness of the officials charged with carrying out these duties.[4] Finally, to prevent trickery and trafficking in votes, edicts were announced, but the large number of these shows how ineffectual they were.

Towards the end of the Republic, it was often necessary to turn to extraordinary expedients in order to make up for the inadequacy of the laws. Sometimes it was implied that miracles had taken place, but this method, while capable of impressing the people, had no effect on those who governed them. Sometimes an assembly was summoned abruptly, before the candidates had time to organize their intrigues. Sometimes an entire session was spent talking, when it was clear that the people had been won over and was ready to adopt a bad position. But in the end ambition eluded all such efforts, and what is incredible is that in the midst of so much abuse, this immense people, thanks to its ancient ordinances, did not fail to elect magistrates, pass laws, judge cases, and expedite private and public business with almost as much facility as the senate itself could have done.

Chapter 5
On the Tribunate

When it is impossible to establish an exact proportion between the parts making up the state, or when causes that cannot be eliminated constantly alter the relationships among those parts, then a special magistracy is established which does not share a corporate form with the others. This magistracy restores each term to its correct relation and creates a link or a middle term, either between the prince and the people, or between the prince and the sovereign, or, if necessary, between both sides at once.

This body, which I shall call the *tribunate*, is the preserver of the laws and of the legislative power. Sometimes it serves to protect the sovereign against the government, as the tribunes of the people did in Rome, sometimes to maintain the government against the people, as the Council of Ten now does in Venice, and sometimes to preserve the balance between the two, as the ephors did in Sparta.

The tribunate is not a constituent part of the city, and should have no share of legislative or executive power. But from that very fact, its power is greater, for although it cannot do anything, it can prevent everything. As the defender of the laws, it is more sacred and more revered than the prince who executes them and the sovereign who gives them. This was clearly evident in Rome when those proud patricians, who always despised the people as a whole, were forced to bow down before a simple officer of the people who had neither auspices nor jurisdiction.

A wisely tempered tribunate is the strongest support for a good constitution, but if its power is even a little excessive, it overturns everything. As for being weak, that is not in its nature, and provided it is something, it is never less than it needs to be.

The tribunate degenerates into tyranny when it usurps executive power, for which it is only the moderator, and when it wishes to administer the laws that it must only protect. The enormous power of the ephors, which posed no danger as long as Sparta preserved its traditional morality, accelerated corruption there, once it had commenced. The blood of Agis, whose throat was slit by these tyrants, was avenged by his successor. The crime and the punishment of the ephors hastened equally the fall of the republic, and after Cleomenes Sparta was no longer significant. Rome also perished in the same way: the excessive power of the tribunes, gradually usurped, together with the help of laws made for liberty, finally served as a safeguard for the emperors who destroyed it. As for the Council of Ten in Venice, it is a tribunal of blood, a horror to the patricians and the people alike, which, far from proudly protecting the laws, no longer serves for anything, now that those laws have been degraded—except to strike blows in the shadows, which no one dares notice.

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[1] *As for the method … treachery* Rousseau seems to be borrowing here from Montesquieu, *Spirit of the Laws*, 2.2.d.

[2] *Cicero criticizes … Republic* See Cicero, *On the Republic*, 3.35.

[3] *Just as the regimen … wicked men* It is likely that Rousseau borrows this point from Machiavelli, *Discourses*, 1.18.

[4] *the officials … duties* [Rousseau's note] Supervisors, distributors of the ballots, and collectors of votes.

The tribunate, like the government, grows weak as its members multiply. When the tribunes of the Roman people, who at first numbered two and later five, wished to double this number, the senate let them do it, fully confident that it could use some of them to restrain the others, and this did not fail to occur.

The best way to prevent the usurpations of such a redoubtable body, a method that no government has used up to this point, would be not to make the tribunate a permanent body but to regulate the periods during which it would remain suppressed. These periods, which should not be long enough to allow abuses the time to grow strong, can be fixed by the law in such a way that it would be easy to shorten them, if need be, by extraordinary commissions.

This method, in my view, would have no disadvantages, because, as I have said, the tribunate is not part of the constitution and can be removed without damaging it, and it seems to me effective because a newly reinstated magistrate begins, not with the power that his predecessor had, but with the power the law assigns him.

Chapter 6
On Dictatorship

The inflexibility of the laws, which prevents them from being adapted to events, can in certain cases make them harmful, and during a crisis, lead them to bring about the ruin of the state. The order and the slowness of procedures require a space of time that circumstances sometimes do not allow. A thousand situations can arise that the lawgiver has not anticipated, and a very necessary part of foresight is having a sense that one cannot foresee everything.

Thus, one should not demand that political institutions be strengthened to the point where one makes it impossible to suspend their activity. Even Sparta allowed its laws to slumber.

But only the very gravest dangers can offset the danger of changing the public order, and the sacred power of the laws should never be suspended, except when it is a matter of the safety of the homeland. In these rare and obvious cases, one provides for the safety of the public by a particular act that assigns this responsibility to the most worthy person. This commission can be assigned in two ways, depending on the nature of the danger.

If one can remedy things sufficiently by increasing the activity of the government, one concentrates it in one or two of its members. In this way, one is not altering the authority of the laws, but only the form of their administration. If the peril is such that the system of laws is an obstacle to their preservation, in that case one nominates a supreme leader who silences all the laws and suspends for the moment the sovereign authority. In a situation like that, the general will is not in doubt: it is clear that the people's primary intention is that the state does not perish. In this way, the suspension of the legislative authority does not abolish it. The magistrate who silences it cannot make it speak. He dominates it, but does not have the power to represent it. He can do anything, except make laws.

The first method was employed by the Roman senate when, with a consecrated formula, it charged the consuls to provide for the safety of the Republic. The second occurred when one of the two consuls appointed a dictator,[1] a practice for which Alba had given Rome an example.

At the beginning of the Republic, there was frequent recourse to dictatorship, because the state did not yet have a sufficiently firm foundation to be capable of maintaining itself by the strength of its constitution alone.[2] Since at that time, traditional morality rendered superfluous many of the precautions that would have been necessary in another age; they feared neither that a dictator would abuse his authority, nor that he would attempt to retain it beyond his term. It seemed, on the contrary, that such enormous power was a burden to the man entrusted with it, so eager was he to divest himself of it quickly, as if it had been too difficult and too perilous to stand in the place of the laws!

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[1] *appointed a dictator* [Rousseau's note] This appointment was made at night and in secret, as if they were ashamed to set a man above the laws.

[2] *At the beginning … constitution alone* As is frequently the case in Book 4 of the *Social Contract*, Rousseau is drawing on the authority of Machiavelli, *Discourses*, 1.34.

Thus, what makes me criticize the indiscreet use of this supreme magistrate in the early days of Rome is the danger, not of abusing it, but of demeaning its significance. For while they squandered it in elections, dedications, and purely formal occasions, there was a fear that it would become less formidable in times of need and that people would grow accustomed to looking on it as an empty title, used only at empty ceremonials.

Towards the end of the Republic, the Romans, becoming more circumspect, were as unreasonable in limiting dictatorship as they had been previously in using it too much. It was easy to see that their fears were not well-founded, that the weakness of the capital at the time made it safe from the magistrates who lived inside it, that a dictator could, in certain situations, defend public freedom, without ever being able to attack it, and that Rome's shackles would be forged not in Rome itself, but in its armies. The feeble resistance that Marius offered against Sulla and Pompey offered against Caesar clearly showed what one could expect from the authority within the city against a force from outside.

This mistake led the Romans to commit major blunders, such as, for example, not naming a dictator during the Catiline affair.[1] For since this involved only the interior of the city and, at most, some provinces in Italy, a dictator with the unlimited authority provided by law would have easily broken up the conspiracy, which was snuffed out only by a combination of fortunate chance events, which human prudence should never expect.

Instead of that, the senate contented itself with handing over all its power to the consuls. The result was that Cicero, in order to act effectively, was forced to overstep this power at a critical point, and if the first transports of joy led them to approve of his conduct, later on he was justly called to account for the blood of citizens shed in violation of the laws, a reproach which could not have been made against a dictator. But the eloquence of the consul carried all before it, and he himself, although a Roman, loved his own glory more than his homeland and sought out, not so much the most legitimate and surest way of saving the state, as the one that would give him all the honor in this affair.[2] And so he was justly celebrated as the liberator of Rome and justly punished as a breaker of the laws. However brilliant his recall may have been, it clearly was a pardon.

Moreover, in whatever manner this important commission is conferred, it is important to establish that its term will last for a very short period of time and can never be extended. In the crises that lead to its implementation, the state is soon destroyed or saved, and once the pressing need has passed, a dictatorship becomes tyrannical or useless. In Rome, dictators were appointed for only six months, and most abdicated before this term was over. If the term had been longer, perhaps they might have been tempted to prolong it further, as the *decemvirs* did with their one-year term. The dictator had time only to cope with the need that had led to his election; he had no time to muse upon other projects.

Chapter 7
On Censorship

Just as the declaration of the general will is made through law, the declaration of public judgment is made through the censorship. Public opinion is the kind of law administered by the censor, which he applies only to particular cases, following the example of the prince.

Thus, the censorial tribunal, far from being the arbiter of public opinion, is only its voice, and as soon as the tribunal moves away from this opinion, its decisions are empty and without effect.

It is pointless to distinguish the morality of a nation from the objects it esteems, for all these things are derived from the same principle and are necessarily interconnected. Among all the peoples of the world, it is not nature but opinion that determines the choice of their pleasures. Set straight men's opinions, and their morality will purify itself. People always love what is good or what they find good, but in this judgment they err. Therefore, it is a question of regulating this judgment. Anyone who judges morality is judging honor, and anyone who judges honor takes his law from opinion.

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[1] *This mistake ... Catiline affair* In the late Roman Republic, Cicero had twice defeated Catiline to win the high office of Consul. Catiline responded by organizing his own army with the aim of removing Cicero and ascending to the office himself. Having gotten advance notice of the conspiracy, Cicero laid a trap in which he ensnared Catiline and his conspirators, many of whom were summarily executed by strangulation without the benefit of due process of law.

[2] *But the eloquence ... this affair* [Rousseau's note] This point he [Cicero] could not have been sure about if he had proposed a dictator, for he did not dare nominate himself, and he could not be sure that his colleague would nominate him.

The opinions of a people are born from its constitution. Although the law does not regulate morality, it is legislation that gives birth to it. When legislation is weak, morality degenerates, but in such situations the judgment of the censors will not achieve what the power of the law has failed to bring about.

From that it follows that the censorship can be useful for preserving morals, but never for restoring them. Establish censors when the laws are strong. As soon as they lose their strength, everything is hopeless. Nothing legitimate has force any more once the laws no longer have any.

Censorship supports morality by preventing opinions from becoming corrupted, by preserving their rectitude with wise applications, and sometimes even by determining opinions when they are still uncertain. The use of seconds in duels, carried to a frenzy in the kingdom of France, was abolished there simply by these words in a royal edict: *as for those who have the cowardice to call upon seconds*. This judgment, anticipating that of the public, instantly determined the matter. But when the same edicts wanted to announce that it was also cowardice to fight duels—which is very true but contrary to common opinion—the public ridiculed this decision in a matter on which it had already rendered judgment.

I have said elsewhere that since public opinion is not subject to constraint, there must be no trace of that in the tribunal set up to represent it.[1] It is impossible to admire too much the skill with which this resource, entirely lost among the moderns, was implemented among the Romans and even better still among the Lacedaemonians.

When a man with bad morals offered good advice in the Spartan Council, the ephors paid no attention to it and had the same opinion put forward by a virtuous citizen. What an honor for one, and what a disgrace for the other, without a word of praise or blame for either of the two! When certain drunkards from Samos defiled the Tribunal of Ephors, the next day a public edict gave the Samians permission to be disgusting.[2] A real punishment would have been less severe than this kind of impunity. When Sparta has made a pronouncement on what is or is not respectable, Greece does not appeal its judgments.

Chapter 8
On Civil Religion

At first men had no kings other than the gods, nor any government other than a theocratic one. They reasoned like Caligula, and at that time such reasoning was correct. Changes in feelings and ideas over a long time are necessary in order for men to be capable of deciding to take someone like themselves as their master, and of flattering themselves that things will work out well for them.

From the mere fact that a god was placed at the head of each political society, it followed that there were as many gods as peoples. Two populations foreign to each other and almost always enemies could not recognize the same master for long; two armies busy fighting each other could not obey the same leader. And so national differences produced polytheism, and from that theological and civil intolerance, which, as I will mention later, are naturally the same.

The fanciful way the Greeks had of rediscovering their gods among barbarous peoples came from the habit they also had of looking upon themselves as the natural sovereigns of these peoples. But nowadays the erudition that merges the identities of the gods of various nations is truly ridiculous, as if Moloch, Saturn, and Cronos could have been the same god, as if Baal of the Phoenicians, Zeus of the Greeks, and Jupiter of the Latins could have been the same, as if there could have been anything in common among chimerical beings bearing different names!

If one asks how there were no wars of religion in pagan times, when each state had its cult and its gods, I answer that it was for that very reason: since each state had its own cult as well as its own government, it did not distinguish between its gods and its laws. Political war was also theological. The departments of the gods were, so to speak, fixed by national boundaries. The god of one people had no right over other peoples. The gods of the pagans were not jealous gods; they shared among themselves the empire of the world. Even Moses and the Hebrew people sometimes lent credence to this idea by speaking of the god of Israel. It is true they regarded the gods of the Canaanites as nothing at all, but these people were outcasts, condemned to destruction, and the Hebrews were to occupy their lands. But consider how they spoke about the divinities of neighboring peoples they were forbidden to attack. “Is not the possession of what belongs to your god Chamos,” said Jephthah to the Ammonites, “legitimately your own? We possess the same title to the lands that our victorious god has acquired for himself.”[1] At that point, it seems to me, there was a clear recognition that the rights of Chamos and those of the God of Israel were equal.[2]

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[1] *I have said elsewhere ... represent it* [Rousseau's note] In this chapter I am merely pointing out something I have dealt with at greater length in the Letter to M. d'Alembert.

[2] *When certain drunkards ... disgusting* In the 1782 edition, Rousseau adds: "They were from a different island that the refined nature of our language does not permit to name on this occasion." This unspoken and indecorous reference has been variously ascribed to the portrait of Chios' inhabitants given by Plutarch, and to the phonic resemblance of Chios to the French verb "chier" (though an etymological connection seems doubtful).

But when the Jews were subjects of the kings of Babylon and then later of the kings of Syria, they were obstinate in refusing to recognize any god but their own, and their refusal was looked upon as a rebellion against their conqueror. It brought down on them the persecutions we read about in their history. We see no other examples of this before Christianity.[3]

Thus, since each religion was exclusively linked to the laws of the state that prescribed it, there was no way of converting a people except by subjugating it, and there were no missionaries other than conquerors; since the obligation to change religious cult was a law of the vanquished, one had to begin by conquering before talking about such things. Far from men fighting for the gods, it was the gods, as in Homer, who fought for men. Each man asked his god for victory and paid him for it with new altars. Before capturing a place, the Romans called upon its gods to abandon it. When they let the Tarentines keep their angry gods, the reason was that at the time they considered these gods subject to their own and forced to pay them homage.[4] The Romans left those they conquered have their own gods, as they left them their laws. Often the only tribute they imposed was a wreath to Capitoline Jupiter.

Finally, once the Romans had extended their cult and their gods along with their empire and had often themselves adopted those of the peoples they had conquered, they accorded to both the rights of the city, and the peoples of this vast empire found themselves imperceptibly acquiring multitudes of gods and cults, which were almost the same everywhere. That is how paganism in the known world eventually became a single integrated religion.

It was in these circumstances that Jesus came to establish on earth a spiritual kingdom, which, by separating the theological system from the political system, made it so that the state ceased to be unified and caused internecine divisions that have never stopped agitating Christian peoples. Now, since this new idea of a kingdom in another world could never have occurred to pagans, they always looked upon Christians as genuine rebels who, beneath a hypocritical submission, were only looking for an opportunity to make themselves independent and masters, and adroitly usurp the authority they pretended in their weakness to respect. This was the cause of the persecutions.

What the pagans had feared came to pass, and then the appearance of everything was transformed: the humble Christians changed their language, and soon people saw this alleged kingdom in another world become, under a visible leader, the most violent despotism in this one.

However, since there have always been a prince and civil laws, this double power has resulted in a perpetual conflict over jurisdiction, which has made all good polities impossible in Christian states, and people have never been able to resolve the question of whether they were obliged to obey the master or the priest.

However, several peoples, even in Europe or its vicinity, wished to preserve or reinstate the old system, but without success. The spirit of Christianity won over everything. The sacred cult has always remained or has once more become independent of the sovereign, without a necessary connection to the body of the state. Mohammed had very sensible views, and he linked his political system together well. As long as his form of government lasted under the caliphs who succeeded him, this government was strictly unified and, in that respect, a good one. But once the Arabs became prosperous, literate, civilized, soft, and cowardly, they were subjugated by barbarians. Then the division between the two powers started once again. Although it is less apparent among the Mohammedans than among the Christians, it is there, nonetheless, above all in the sect of Ali, and there are states, like Persia, where it never ceases to make itself felt.

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[1] *Is not the possession … himself* [Rousseau’s note] *Nonne ea quae possidet Chamos deus tuus tibi jure debentur?* Such is the text of the Vulgate. Father de Carrières has translated it: *Do you not believe you have the right to possess what belongs to Chamos, your god?* I do not know the force of the Hebrew text, but I see that in the Vulgate Jephthah positively recognizes the right of the god Chamos and that the French translator has weakened this acknowledgement by adding *according to you*, which is not in the Latin.

[2] *the rights of Chamos … equal* See Judges 11.24.

[3] *But when the Jews … Christianity* [Rousseau’s note] It is perfectly clear that the Phocian War, which was called a Sacred War, was not a war about religion. Its purpose was to punish sacrilegious actions, not to subdue non-believers.

[4] *When they let … homage* Rousseau here references Plutarch’s Life of Fabius (*Lives*, Vol. 1).

Among us, the kings of England have made themselves heads of the church, and the tsars have done the same. But with this title they have made themselves less masters than ministers. What they have acquired is not so much the right to change it as the power to maintain it. They are not its legislators, only its princes. Wherever the church is a corporate body, it is master and legislator in its own domain.[1] Thus, there are two powers, two sovereigns, in England and in Russia, just as there are elsewhere.

Of all Christian authors, the philosopher Hobbes is the only one who has clearly seen the evil and the remedy,[2] who has dared to propose reuniting the two heads of the eagle and returning everything back to political unity, without which neither the state nor the government will ever be well constituted. But he should have seen that the dominating spirit of Christianity was incompatible with his system and that the interest of the priest would always be stronger than that of the state. What makes his political theory hated is not so much what is horrible and false in it, as what is just and true.[3]

I believe that if we developed the historical facts from this point of view, we would easily refute the opposing opinions of Bayle and Warburton:[4] the former maintains that no religion is of any use to the body politic, and the latter, by contrast, claims that Christianity is its firmest support. We could prove to the first that no state has ever been established where religion did not serve as its foundation, and to the second that Christian law is basically more injurious than useful to the strong constitution of a state. To make myself understood, I need only provide a little more precision to the overly vague ideas of religion relevant to my subject.

Religion, considered in relation to society, which is either general or particular, can also be divided into two types, namely, the religion of man and the religion of the citizen. The first has no temples, no altars, no rites, and is limited to the purely interior worship of the supreme God and to the eternal duties of morality. This is the pure and simple religion of the Gospel, the true theism, and we can call it divine natural law.[5] The other, established in a single country, provides its gods, its own tutelary patrons. It has its dogmas, its rites, and its external worship prescribed by the laws. Outside the single nation that follows it, everything is, from its point of view, infidel, foreign, and barbarous. It extends the duties and the rights of man only as far as its altars. Such were all the religions of early peoples. We can give these the name ***civil*** or positive divine law.

There is a third and more bizarre kind of religion which provides men with two legislations, two leaders, and two homelands; subjects them to contradictory obligations and makes them incapable of being both devout and citizens at the same time. The religions of the Lamas and of the Japanese are like this, as is Roman Christianity. We can call this kind the religion of the priest. It results in a sort of mixed and unsociable law that has no name.

Considered from a political perspective, these three varieties of religion all have their faults. The third is so obviously bad that to amuse oneself by demonstrating the fact would be a waste of time. Everything that fractures social unity is worthless: all institutions that set a man in contradiction with himself are worthless.

The second is good, in that it unites the divine cult and love of the laws and, by making the homeland the object of adoration among the citizens, teaches them that to serve the state is to serve its tutelary god. It is a type of theocracy in which there is to be no pontiff but the prince, and no priests but the magistrates. Thus, dying for one's country means becoming a martyr, violating the laws is impiety, and subjecting a guilty person to public execration is to commit him to the anger of the gods. *Sacer estod.*[6]

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[1] *Wherever the Church … its own domain* [Rousseau's note] One should take careful note that what binds the clergy together into a body is not so much formal assemblies, like those in France, as the communion of churches. Communion and excommunication are the social pact for the clergy, a pact with which it ensures that it will always be the master of peoples and kings. All the priests in communion together are fellow citizens, even if they are at opposite ends of the earth. This invention is a political masterpiece. There was nothing like it among the pagan priests, and that is why they never formed a corporate body of clergy.

[2] *Hobbes … remedy* See Hobbes, *Leviathan*, 29.15.

[3] *What makes … true* [Rousseau's note] See among other things in a letter of Grotius to his brother (April 11, 1643), what this learned man agrees with and what he criticizes in the book *De Cive*. It is true that, with his tendency to be indulgent, he appears to forgive what the author has done well for the sake of what he has done badly, but not everyone is so merciful.

[4] *Bayle and Warburton* See Pierre Bayle's *Various Thoughts on the Occasion of a Comet* and William Warburton's *Divine Legation of Moses*, which respectively argue that religion is inessential for social harmony and that it is indispensable.

[5] *divine natural law* In French, *droit*—translated in this passage as "law"—also means "right."

[6] *Sacer estod* Latin: let him be damned. This formula was uttered when someone was to be cut off from contact with society and left to the judgment of the gods.

However, this form of religion is bad, in that, being based on error and lies, it deceives people, makes them credulous and superstitious, and drowns genuine worship of the divinity in an empty ceremonial. It is bad, too, when it becomes exclusive and tyrannical, and makes a people bloodthirsty and intolerant, so that it breathes only murder and massacre and believes it is carrying out a sacred act by killing anyone who does not accept its gods. That places such a people in a natural state of war with all the others, something very injurious to its own security.

Thus, what remains is the religion of man or Christianity—not the Christianity of today, but that of the Gospel, which is entirely different. In this holy, sublime, and true religion, all men, children of the same God, recognize each other as brothers, and the society that unites them is not dissolved even at death.

But since this religion has no specific relationship with the body politic, it leaves the laws with the power they draw from themselves alone, without adding anything else to them, and in that way one of the great bonds of a particular society remains inactive. And more than that, far from tethering the citizens' hearts to the state, it detaches them from it, as it does from all things of the earth. I know of nothing more contrary to the social spirit.

We are told that a people of true Christians would form the most perfect society one could imagine. In this supposition I see only one large difficulty: a society of true Christians would no longer be a society of men.

I even claim that this supposed society, for all its perfection, would be neither the strongest nor the most durable. By virtue of being perfect, it would lack cohesive bonds; its very perfection would be its destructive vice.

Each person would fulfill his duty, the people would be subject to the laws, the leaders would be just and temperate, the magistrates honest and incorruptible, the soldiers would scorn death, and there would be neither vanity nor luxury. That is all well and good. But let us look further.

Christianity is an entirely spiritual religion, exclusively concerned with heavenly things. A Christian's homeland is not of this world. He does his duty—that is true—but he does it with a profound indifference to the success or lack of success of his efforts. Provided he has nothing to reproach himself with, it matters little to him whether everything here below goes well or ill. If the state is flourishing, he hardly ventures to rejoice in the public happiness, for fear of growing proud of his country's glory; if the state languishes, he blesses the hand of God weighing down His people.

For such a society to be peaceful and for harmony to be maintained, all the citizens without exception would have to be equally good Christians. But if, by some misfortune, there was one ambitious person, a single hypocrite, a Catiline,[1] for example, or a Cromwell, he would inevitably get the better of his pious compatriots. Christian charity does not readily permit one to think ill of one's neighbor.[2] The moment he finds a way of forcing himself on them by some ruse and of seizing a share of public authority, then there you have it, a man established in dignity, someone God wants people to respect, and then, soon, you have a power, someone God wants people to obey. The man who is entrusted with this power, does he abuse it? That is the rod with which God punishes His children. People would have scruples about driving out the usurper: that would require upsetting public tranquility, using violence, spilling blood—none of which sits well with Christian gentleness. And, after all, what does it matter whether one is a free man or a serf in this vale of sorrow? The essential matter is reaching paradise, and resignation is merely one more way of getting there.

What if there is some war with a foreign state? The citizens have no trouble marching out to fight. Not one of them dreams of running away. They do their duty. But they have no passion for victory. They know more about dying than about conquering. Whether they are the victors or the vanquished, what does that matter to them? Does not Providence understand better than they do what is right for them? Imagine how a proud, impetuous, and passionate enemy could take advantage of their stoicism! Set against them those generous people consumed with an ardent love of glory and of their homeland. Imagine your Christian republic up against Sparta or Rome. The pious Christians will be beaten, crushed, and destroyed, before they have had time to know where they are, or will owe their safety solely to the scorn their enemy feels for them. In my view, that was a fine oath that the soldiers of Fabius took: they did not swear to die or conquer, but to return as conquerors, and they kept their oath.[1] Christians would never have done anything like that. They would have believed they were tempting God.

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[1] *Catiline* See Sallust, *War with Catiline.*

[2] *Christian charity … neighbor* Throughout this chapter, Rousseau follows a long tradition of early modern anti-Christian political criticism, including Machiavelli. In it, true Christians are bound to renounce the world as such and are prone to passive, even self-destructive, benevolence: they cannot lucidly discern good and evil in others without betraying their own Gospel. The argument has uncertain exegetical foundations: see Matthew 10.16, John 10.10, and John 3.17.

However, I am wrong to talk about a Christian republic. These two words are mutually exclusive. Christianity preaches nothing but servitude and dependence. Its spirit is too favorable to tyranny for tyranny not to use it always for its own advantage. True Christians are made to be slaves. They know this and are scarcely moved by it. This short life has too little value in their eyes.

Someone will tell me that Christian troops are excellent. I deny it.[2] Show me an example of such troops. As far as I am concerned, I do not know of any Christian troops. People will cite the Crusades. Without disputing the courage of the Crusaders, I will observe that they were far from being Christians. They were the soldiers of the priest; they were citizens of the Church. They fought for their spiritual country, which the Church had made temporal, no one knows how. Properly understood, this is a reversion to paganism. Since the Gospel does not establish a national religion, all holy wars are impossible among Christians.

Under the pagan emperors, Christian soldiers were brave. All the Christian authors affirm the fact, and I believe it. It was a rivalry for honor with pagan soldiers. From the time the emperors were Christians this rivalry came to an end, and when the cross had chased away the eagle, all Roman valor disappeared.

However, setting aside political considerations, let us return to right and determine the principles on this important point. The right that the social pact gives the sovereign over his subjects, as I have stated, does not pass beyond the limits of public utility.[3] Thus, the subjects do not have to answer to the sovereign for their opinions, except to the extent that these opinions are significant to the community. Now, it is very important to the state that each citizen has a religion that makes him love his duties, but neither the state nor its members have any interest in the doctrines of this religion except insofar as these doctrines relate to morality, and to the duties that the person professing them is obliged to fulfill towards others. Beyond that, each man can have whatever opinions he pleases, without the sovereign having any business knowing about them. For, since the sovereign has no authority in the world beyond, whatever the fate of his subjects in the life to come, it is not his concern, provided that they are good citizens in this one.

Therefore, there is a purely civil profession of faith; its articles are the business of the sovereign to establish, not as religious dogmas exactly, but as sentiments of sociability, without which it is impossible to be a good citizen or a faithful subject.[4] While the sovereign cannot oblige anyone to believe them, it can banish from the state anyone who does not believe them, and it can banish him not because the person is impious, but because he is unsociable, because he is incapable of sincerely loving the laws of justice and of sacrificing his life, if need be, to his duty. And if someone who has publicly accepted these very doctrines behaves as if he does not believe them, he should be punished with death, for he has committed the greatest of crimes: he has lied before the laws.

The doctrines of civil religion must be simple, few in number, and precisely stipulated, without explications or commentaries: the existence of the Divinity, a powerful, intelligent, beneficent, provident, and foreseeing god, the life to come, the happiness of the just, the punishment of the wicked, and the sanctity of the social contract and the laws: these are the positive doctrines. As for the negative ones, I limit them to one: intolerance. It is part of the cults we have excluded.

In my view, those who distinguish between civil intolerance and theological intolerance are making a mistake. These two forms of intolerance are inseparable. It is impossible to live in peace with people one believes to be damned. To love them would be to hate the God who punishes them.

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[1] *In my view … their oath* Rousseau appears to have in mind Livy's account of Fabius.

[2] *Someone … deny it* Rousseau here echoes Machiavelli, *Discourses*, Book, 2, Chapter 2. See also Pierre Bayle, §165. Montesquieu challenges Bayle directly on this point in his *Spirit of the Laws*, 24.6. It is possible that Rousseau has Montesquieu in mind in his critique of Christian republics.

[3] *The right … utility* [Rousseau's note] "In the republic," says the Marquis d'Argenson, "each person is perfectly free in what is not harmful to others." There you have the invariable limit. One cannot state the matter more precisely. I could not deny myself the pleasure of quoting this manuscript from time to time, although it is unknown to the public, to render homage to the memory of an illustrious and respectable man, who even in ministerial office maintained the heart of a true citizen as well as just and sound views on the government of his country.

[4] *Therefore … subject* [Rousseau's note] Caesar, pleading for Catiline, tried to establish the doctrine of the mortality of the soul. Cato and Cicero, in their refutation of him, did not waste time philosophizing. They were content to show that Caesar spoke like a bad citizen and was advancing a doctrine pernicious to the state. And this, in fact, was what the Roman senate had to judge, not a question of theology.

It is necessary that one brings them back or tortures them. Wherever theological intolerance is permitted, it is impossible for it not to have some civil effect, and as soon as it has, the sovereign is no longer sovereign, even in temporal matters.[1] From that point on, the priests are the true masters. Kings are merely their officers.

Nowadays, when there is no longer—and cannot be—an exclusive national religion, people should tolerate all those who tolerate the others, as long as their doctrines contain nothing which contradicts the duties of the citizen. However, anyone who dares to say, *Outside the Church there is no salvation* should be driven from the state, unless the state is the church and the prince its pontiff. Such a doctrine is good only in a theocratic government. In all others it is pernicious. The reason Henry IV is said to have embraced the Roman religion should make every honest man leave it, especially any prince who knows how to reason.[2]

Chapter 9
Conclusion

Now that I have set down the true principles of political right and attempted to establish the state on its foundation, it remains to support it in its external relations. This would include the rights of nations, trade, the right of war and conquests, public right, leagues, negotiations, treaties, and so on. But all that is a new subject, too vast for my limited vision, which I should always keep focused on things closer to me.

End of the fourth and final part.

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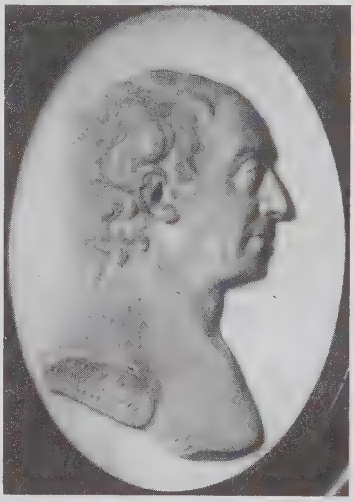
[1] *Wherever … matters* [Rousseau's note] Marriage, for example, is a civil contract and thus has civil consequences without which it is impossible for society even to subsist. Suppose, then, that the clergy succeeded in claiming the sole right to permit this act, a right that it must necessarily usurp in every intolerant religion. In that case, is it not obvious that validating the authority of the church in this matter will make the authority of the prince ineffectual, for he will then have only as many subjects as those the clergy will be willing to provide him? If the church has the power to marry or not to marry people depending on whether or not they profess this or that doctrine, on whether they accept or reject this or that formula, or on whether they are more or less devout, is it not obvious that, by behaving prudently and holding firm, it alone will administer inheritances, offices, citizens, and even the state, which could not subsist, no longer being composed of anything but bastards? But, it will be said, there will be appeals on the grounds of abuse, there will be summonses and decrees, and temporal goods will be seized. How pitiful! The clergy, given that it has a little—I will not say courage—but good sense, will let this happen and go on its way. It will calmly permit these appeals, summonses, decrees, and seizures and will end up being the master. There is no great sacrifice, it seems to me, in abandoning a portion when one is sure of grasping the whole.

[2] *The reason … to reason* Henry IV of France (1553–1610) had been raised a Calvinist Huguenot by his mother, but when fellow Huguenots arrived in Paris to celebrate his wedding to the Catholic Margaret de Valois, Catholic mobs slaughtered thousands of the Huguenots in one of the most infamous episodes of the French Wars of Religion, the Saint Bartholomew's Day Massacre. Henry himself only narrowly escaped death due to his pledge to convert to Catholicism.

ADAM SMITH

(1723 – 1790)

When Adam Smith published his most famous book, *An Inquiry into the Nature and Causes of the Wealth of Nations* (1776), he was already well-known for his contributions to moral philosophy, most particularly *A Theory of Moral Sentiments* (1759). Smith was well versed in many different fields and had lectured and written on logic, rhetoric, and jurisprudence. But it is in the field of economics that he has left his most indelible mark. He is arguably the most important writer in the history of economics and, to the extent that economic thought has come to occupy a central place in political philosophy, a figure of real importance in the latter as well. The influence of *The Wealth of Nations* can hardly be overestimated.



Smith was born in 1723 in Kirkcaldy, Fife, Scotland and raised by his mother, as his father had died before he was born. In 1737, when he was fourteen, Smith began his advanced studies at the University of Glasgow. There he studied under Francis Hutcheson, one of the first prominent philosophers to advance the idea that morality was based on natural human sentiments. In 1740 Smith went to Balliol College, Oxford to continue his studies. Two years later he embarked on a series of lectures in Edinburgh, mostly dealing with literature and rhetoric, but some also touching on philosophy and economics.

Shortly thereafter, he met David Hume for the first time. Hume, who would become the most influential British philosopher of the eighteenth century, was also a Scotsman and also significantly influenced by Francis Hutcheson's work. The two developed a close personal and professional friendship which would continue throughout their lives.

In 1751 Smith returned to the University of Glasgow as professor of logic. A year later he was appointed chair of moral philosophy. In 1759 Smith published *A Theory of Moral Sentiments*, which was based on his Edinburgh lectures and his teaching in Glasgow. The book attempts to explain the nature of our moral practices through an examination of human psychology. Smith would employ a similar approach to the subject of economics when he began writing *The Wealth of Nations.*

In 1763 Smith left his University post to become the private tutor for the Duke of Buccleuch. In his new vocation, Smith traveled to France and came into contact with many of the great figures of the Enlightenment, including Voltaire and Rousseau. He also met Benjamin Franklin, who was influenced by Smith's arguments for limitations on government power and who brought those ideas to the attention of others as an independent United States of America was being formed. Smith also met members of the French physiocrat school, whose views on the importance of agricultural labor and whose rejection of mercantilism had a significant impact on Smith's economic thinking. After two years abroad, Smith returned to Scotland and began writing *The Wealth of Nations.* The book was published ten years later, in 1776.

While Smith was certainly not the first writer to discuss economics, his treatment of the subject was an important step in its development as a distinct area of study. He had argued that sympathy provided the chief human psychological underpinning of morality; he argued that prudential self-interest provided the chief psychological underpinning for economic relationships. If markets were left free of political interference, he argued, the collective result of each person pursuing his own good would be the promotion of the collective good. It was, he said, as though an "invisible hand" were directing our activities to optimize the outcome for all. This force would naturally help to ensure that supply and demand, when unmanipulated, would adjust as needed to reach a natural balance. His arguments supporting free markets within nations and free trade among them have influenced politicians and economists to the present day.

Smith also saw labor rather than raw materials or land as central to economic relationships. He pointed out that how a workforce was organized could have a dramatic impact on productivity, most prominently in his analysis of the division of labor. Smith pointed out that a pin factory, with each employee performing a specific task, could produce thousands more pins than individuals performing each step. Such ideas were not only influential in capitalist thought; Karl Marx would incorporate them into his analysis, placing economic relationships at the core of all political and social history and regarding the power of the laborer as fundamental to change. Smith also discussed the relationship between population and consumption, a topic central to the later thinking of Thomas Malthus.

Two years after publishing *The Wealth of Nations* Smith accepted an appointment as a customs commissioner, a post he held until his death. But he did not give up his scholarly pursuits; he worked on revisions to *The Wealth of Nations* and *A Theory of Moral Sentiments* as well as on new writings during his final years. In 1783 Smith helped to found The Royal Society of Edinburgh, Scotland's national academy of sciences and letters.

Smith's mother died in 1784. He had been devoted to her throughout his life and lived with her for much of it. Her death marked the beginning of the decline of his health; he died in 1790 at the age of 67.

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The Wealth of Nations
(1776)

from *Book 1. Of the Causes of Improvement in the Productive Powers of Labor, and of the Order According to Which Its Produce Is Naturally Distributed among the Different Ranks of the People*

Chapter 1: Of the Division of Labor

The greatest improvement in the productive powers of labor, and the greater part of the skill, dexterity, and judgment with which it is anywhere directed, or applied, seem to have been the effects of the division of labor.

The effects of the division of labor, in the general business of society, will be more easily understood by considering in what manner it operates in some particular manufactures. It is commonly supposed to be carried furthest in some very trifling ones; not perhaps that it really is carried further in them than in others of more importance: but in those trifling manufactures which are destined to supply the small wants of but a small number of people, the whole number of workmen must necessarily be small; and those employed in every different branch of the work can often be collected into the same workhouse, and placed at once under the view of the spectator. In those great manufactures, on the contrary, which are destined to supply the great wants of the great body of the people, every different branch of the work employs so great a number of workmen that it is impossible to collect them all into the same workhouse. We can seldom see more, at one time, than those employed in one single branch. Though in such manufactures, therefore, the work may really be divided into a much greater number of parts than in those of a more trifling nature, the division is not near so obvious, and has accordingly been much less observed.

To take an example, therefore, from a very trifling manufacture; but one in which the division of labor has been very often taken notice of, the trade of the pin-maker; a workman not educated to this business (which the division of labor has rendered a distinct trade), nor acquainted with the use of the machinery employed in it (to the invention of which the same division of labor has probably given occasion), could scarce, perhaps, with his utmost industry, make one pin in a day, and certainly could not make twenty. But in the way in which this business is now carried on, not only the whole work is a peculiar trade, but it is divided into a number of branches, of which the greater part are likewise peculiar[1] trades. One man draws out the wire, another straights it, a third cuts it, a fourth points it, a fifth grinds it at the top for receiving, the head; to make the head requires two or three distinct operations; to put it on is a peculiar business, to whiten the pins is another; it is even a trade by itself to put them into the paper; and the important business of making a pin is, in this manner, divided into about eighteen distinct operations, which, in some manufactories, are all performed by distinct hands, though in others the same man will sometimes perform two or three of them. I have seen a small manufactory of this kind where ten men only were employed, and where some of them consequently performed two or three distinct operations. But though they were very poor, and therefore but indifferently accommodated[1] with the necessary machinery, they could, when they exerted themselves, make among them about twelve pounds of pins in a day. There are in a pound upwards of four thousand pins of a middling size. Those ten persons, therefore, could make among them upwards of forty-eight thousand pins in a day. Each person, therefore, making a tenth part of forty-eight thousand pins, might be considered as making four thousand eight hundred pins in a day. But if they had all wrought separately and independently, and without any of them having been educated to this peculiar business, they certainly could not each of them have made twenty, perhaps not one pin in a day; that is, certainly, not the two hundred and fortieth, perhaps not the four thousand eight hundredth part of what they are at present capable of performing, in consequence of a proper division and combination of their different operations.

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[1] *peculiar* Individual, particular.

[...]

It is the great multiplication of the productions of all the different arts, in consequence of the division of labor, which occasions, in a well-governed society, that universal opulence which extends itself to the lowest ranks of the people. Every workman has a great quantity of his own work to dispose of beyond what he himself has occasion for; and every other workman being exactly in the same situation, he is enabled to exchange a great quantity of his own goods for a great quantity, or, what comes to the same thing, for the price of a great quantity of theirs. He supplies them abundantly with what they have occasion for, and they accommodate him as amply with what he has occasion for, and a general plenty diffuses itself through all the different ranks of the society.

Observe the accommodation of the most common artificer or day-laborer in a civilized and thriving country, and you will perceive that the number of people of whose industry a part, though but a small part, has been employed in procuring him this accommodation, exceeds all computation. The woolen coat, for example, which covers the day-laborer, as coarse and rough as it may appear, is the produce of the joint labor of a great multitude of workmen. The shepherd, the sorter of the wool, the wool-comber or carder, the dyer, the scribbler, the spinner, the weaver, the fuller, the dresser,[2] with many others, must all join their different arts in order to complete even this homely production. How many merchants and carriers, besides, must have been employed in transporting the materials from some of those workmen to others who often live in a very distant part of the country! How much commerce and navigation in particular, how many ship-builders, sailors, sail-makers, rope-makers, must have been employed in order to bring together the different drugs made use of by the dyer, which often come from the remotest corners of the world! What a variety of labor, too, is necessary in order to produce the tools of the meanest of those workmen! To say nothing of such complicated machines as the ship of the sailor, the mill of the fuller, or even the loom of the weaver, let us consider only what a variety of labor is requisite in order to form that very simple machine, the shears with which the shepherd clips the wool. The miner, the builder of the furnace for smelting the ore, the seller of the timber, the burner of the charcoal to be made use of in the smelting-house, the brickmaker, the brick-layer, the workmen who attend the furnace, the mill-wright, the forger, the smith, must all of them join their different arts in order to produce them. Were we to examine, in the same manner, all the different parts of his dress and household furniture, the coarse linen shirt which he wears next his skin, the shoes which cover his feet, the bed which he lies on, and all the different parts which compose it, the kitchen-grate at which he prepares his victuals,[3] the coals which he makes use of for that purpose, dug from the bowels of the earth, and brought to him perhaps by a long sea and a long land carriage, all the other utensils of his kitchen, all the furniture of his table, the knives and forks, the earthen or pewter plates upon which he serves up and divides his victuals, the different hands employed in preparing his bread and his beer, the glass window which lets in the heat and the light, and keeps out the wind and the rain, with all the knowledge and art requisite for preparing that beautiful and happy invention, without which these northern parts of the world could scarce have afforded a very comfortable habitation, together with the tools of all the different workmen employed in producing those different conveniences; if we examine, I say, all these things, and consider what a variety of labor is employed about each of them, we shall be sensible that, without the assistance and co-operation of many thousands, the very meanest person in a civilized country could not be provided, even according to what we very falsely imagine the easy and simple manner in which he is commonly accommodated. Compared, indeed, with the more extravagant luxury of the great, his accommodation must no doubt appear extremely simple and easy; and yet it may be true, perhaps, that the accommodation of a European prince does not always so much exceed that of an industrious and frugal peasant as the accommodation of the latter exceeds that of many an African king, the absolute master of the lives and liberties of ten thousand naked savages.

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[1] *indifferently accommodated* Not well provided.

[2] *the scribbler* Runs wool through a machine, which cards or teases it coarsely; *the fuller* Treads or beats cloth to clean and thicken it; *the dresser* Finishes fabrics, to give them a nap (smooth surface, or gloss).

[3] *victuals* Food.

Chapter 2: Of the Principle Which Gives Occasion to the Division of Labor

This division of labor, from which so many advantages are derived, is not originally the effect of any human wisdom, which foresees and intends that general opulence to which it gives occasion. It is the necessary, though very slow and gradual consequence of a certain propensity in human nature which has in view no such extensive utility; the propensity to truck,[1] barter, and exchange one thing for another.

Whether this propensity be one of those original principles in human nature of which no further account can be given; or whether, as seems more probable, it be the necessary consequence of the faculties of reason and speech, it belongs not to our present subject to inquire. It is common to all men, and to be found in no other race of animals, which seem to know neither this nor any other species of contracts. Two greyhounds, in running down the same hare, have sometimes the appearance of acting in some sort of concert.[2] Each turns her towards his companion, or endeavors to intercept her when his companion turns her towards himself. This, however, is not the effect of any contract, but of the accidental concurrence of their passions in the same object at that particular time. Nobody ever saw a dog make a fair and deliberate exchange of one bone for another with another dog. Nobody ever saw one animal by its gestures and natural cries signify to another, this is mine, that yours; I am willing to give this for that. When an animal wants to obtain something either of a man or of another animal, it has no other means of persuasion but to gain the favor of those whose service it requires. A puppy fawns upon its dam,[3] and a spaniel endeavors by a thousand attractions to engage the attention of its master who is at dinner, when it wants to be fed by him. Man sometimes uses the same arts with his brethren, and when he has no other means of engaging them to act according to his inclinations, endeavors by every servile and fawning attention to obtain their good will. He has not time, however, to do this upon every occasion. In civilized society he stands at all times in need of the cooperation and assistance of great multitudes, while his whole life is scarce[4] sufficient to gain the friendship of a few persons. In almost every other race of animals each individual, when it is grown up to maturity, is entirely independent, and in its natural state has occasion for the assistance of no other living creature. But man has almost constant occasion for the help of his brethren, and it is in vain for him to expect it from their benevolence only. He will be more likely to prevail if he can interest their self-love in his favor, and show them that it is for their own advantage to do for him what he requires of them. Whoever offers to another a bargain of any kind, proposes to do this. Give me that which I want, and you shall have this which you want, is the meaning of every such offer; and it is in this manner that we obtain from one another the far greater part of those good offices[5] which we stand in need of. It is not from the benevolence of the butcher, the brewer, or the baker that we expect our dinner, but from their regard to their own interest. We address ourselves, not to their humanity but to their self-love, and never talk to them of our own necessities but of their advantages. Nobody but a beggar chooses to depend chiefly upon the benevolence of his fellow-citizens. Even a beggar does not depend upon it entirely. The charity of well-disposed people, indeed, supplies him with the whole fund of his subsistence. But though this principle ultimately provides him with all the necessaries of life which he has occasion for,[6] it neither does nor can provide him with them as he has occasion for them. The greater part of his occasional[7] wants are supplied in the same manner as those of other people, by treaty, by barter, and by purchase. With the money which one man gives him he purchases food. The old clothes which another bestows upon him he exchanges for other old clothes which suit him better, or for lodging, or for food, or for money, with which he can buy either food, clothes, or lodging, as he has occasion.

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[1] *truck* Trade.

[2] *concert* Cooperation or harmony.

[3] *dam* Mother.

[4] *scarce* Scarcely.

[5] *good offices* Beneficial acts.

[6] *occasion for* Need of.

[7] *occasional* Arising out of particular occasions.

As it is by treaty, by barter, and by purchase that we obtain from one another the greater part of those mutual good offices which we stand in need of, so it is this same trucking disposition which originally gives occasion to the division of labor. In a tribe of hunters or shepherds a particular person makes bows and arrows, for example, with more readiness and dexterity than any other. He frequently exchanges them for cattle or for venison with his companions; and he finds at last that he can in this manner get more cattle and venison than if he himself went to the field to catch them. From a regard to his own interest, therefore, the making of bows and arrows grows to be his chief business, and he becomes a sort of armorer. Another excels in making the frames and covers of their little huts or movable houses. He is accustomed to be of use in this way to his neighbors, who reward him in the same manner with cattle and with venison, till at last he finds it his interest to dedicate himself entirely to this employment, and to become a sort of house-carpenter. In the same manner a third becomes a smith or a brazier,[1] a fourth a tanner or dresser of hides or skins, the principal part of the clothing of savages. And thus the certainty of being able to exchange all that surplus part of the produce of his own labor, which is over and above his own consumption, for such parts of the produce of other men's labor as he may have occasion for, encourages every man to apply himself to a particular occupation, and to cultivate and bring to perfection whatever talent or genius he may possess for that particular species of business.

The difference of natural talents in different men is, in reality, much less than we are aware of; and the very different genius which appears to distinguish men of different professions, when grown up to maturity, is not upon many occasions so much the cause as the effect of the division of labor. The difference between the most dissimilar characters, between a philosopher and a common street porter, for example, seems to arise not so much from nature as from habit, custom, and education. When they came into the world, and for the first six or eight years of their existence, they were perhaps very much alike, and neither their parents nor playfellows could perceive any remarkable difference. About that age, or soon after, they come to be employed in very different occupations. The difference of talents comes then to be taken notice of, and widens by degrees, till at last the vanity of the philosopher is willing to acknowledge scarce any resemblance. But without the disposition to truck, barter, and exchange, every man must have procured to himself every necessary and conveniency[2] of life which he wanted. All must have had the same duties to perform, and the same work to do, and there could have been no such difference of employment as could alone give occasion to any great difference of talents.

As it is this disposition which forms that difference of talents, so remarkable among men of different professions, so it is this same disposition which renders that difference useful. Many tribes of animals acknowledged to be all of the same species derive from nature a much more remarkable distinction of genius,[3] than what, antecedent to custom and education, appears to take place among men. By nature a philosopher is not in genius and disposition half so different from a street porter, as a mastiff is from a greyhound, or a greyhound from a spaniel, or this last from a shepherd's dog. Those different tribes of animals, however, though all of the same species, are of scarce any use to one another. The strength of the mastiff is not, in the least, supported either by the swiftness of the greyhound, or by the sagacity of the spaniel, or by the docility of the shepherd's dog. The effects of those different geniuses and talents, for want of the power or disposition to barter and exchange, cannot be brought into a common stock, and do not in the least contribute to the better accommodation and conveniency of the species. Each animal is still obliged to support and defend itself, separately and independently, and derives no sort of advantage from that variety of talents with which nature has distinguished its fellows. Among men, on the contrary, the most dissimilar geniuses are of use to one another; the different produces of their respective talents, by the general disposition to truck, barter, and exchange, being brought, as it were, into a common stock, where every man may purchase whatever part of the produce of other men's talents he has occasion for.

Chapter 3: That the Division of Labor Is Limited by the Extent of the Market

As it is the power of exchanging that gives occasion to the division of labor, so the extent of this division must always be limited by the extent of that power, or, in other words, by the extent of the market. When the market is very small, no person can have any encouragement to dedicate himself entirely to one employment, for want of the power to exchange all that surplus part of the produce of his own labor, which is over and above his own consumption, for such parts of the produce of other men's labor as he has occasion for.

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[1] *brazier* One who works in brass.

[2] *necessary and conveniency* Necessity and convenience.

[3] *genius* Specific skill.

[...]

Chapter 10, Part 2: Inequalities by the Policy of Europe

Such are the inequalities in the whole of advantages and disadvantages of the different employments of labor and stock, which the defect of any of the three requisites above mentioned must occasion,[1] even where there is the most perfect liberty. But the policy of Europe, by not leaving things at perfect liberty, occasions other inequalities of much greater importance.

It does this chiefly in the three following ways. First, by restraining the competition in some employments to a smaller number than would otherwise be disposed to enter into them; secondly, by increasing it in others beyond what it naturally would be; and, thirdly, by obstructing the free circulation of labor and stock, both from employment to employment and from place to place.

First, the policy of Europe occasions a very important inequality in the whole of the advantages and disadvantages of the different employments of labor and stock, by restraining the competition in some employments to a smaller number than might otherwise be disposed to enter into them.[...]

The property which every man has in his own labor, as it is the original foundation of all other property, so it is the most sacred and inviolable. The patrimony of a poor man lies in the strength and dexterity of his hands; and to hinder him from employing this strength and dexterity of his hands; and to hinder him from employing this strength and dexterity in what manner he thinks proper without injury to his neighbor is a plain violation of this most sacred property. It is a manifest encroachment upon the just liberty both of the workman and of those who might be disposed to employ him. As it hinders the one from working at what he thinks proper, so it hinders the others from employing whom they think proper. To judge whether he is fit to be employed may surely be trusted to the discretion of the employers whose interest it so much concerns. The affected[2] anxiety of the law-giver lest they should employ an improper person is evidently as impertinent[3] as it is oppressive.[...]

People of the same trade seldom meet together, even for merriment and diversion, but the conversation ends in a conspiracy against the public, or in some contrivance to raise prices. It is impossible indeed to prevent such meetings, by any law which either could be executed, or would be consistent with liberty and justice. But though the law cannot hinder people of the same trade from sometimes assembling together, it ought to do nothing to facilitate such assemblies, much less to render them necessary.

[...]

Secondly, the policy of Europe, by increasing the competition in some employments beyond what it naturally would be, occasions another inequality of an opposite kind in the whole of the advantages and disadvantages of the different employments of labor and stock.

It has been considered as of so much importance that a proper number of young people should be educated for certain professions, that sometimes the public and sometimes the piety of private founders have established many pensions, scholarships, exhibitions, bursaries, etc., for this purpose, which draw many more people into those trades than could otherwise pretend to follow them.

[...]

Thirdly, the policy of Europe, by obstructing the free circulation of labor and stock both from employment to employment, and from place to place, occasions in some cases a very inconvenient inequality in the whole of the advantages and disadvantages of their different employments.

The Statute of Apprenticeship[4] obstructs the free circulation of labor from one employment to another, even in the same place. The exclusive privileges of corporations obstruct it from one place to another, even in the same employment.

It frequently happens that while high wages are given to the workmen in one manufacture, those in another are obliged to content themselves with bare subsistence. The one is in an advancing state, and has, therefore, a continual demand for new bands: the other is in a declining state, and the superabundance of hands is continually increasing. Those two manufactures may sometimes be in the same town, and sometimes in the same neighborhood, without being able to lend the least assistance to one another. The Statute of Apprenticeship may oppose it in the one case, and both that and an exclusive corporation in the other. In many different manufactures, however, the operations are so much alike, that the workmen could easily change trades with one another, if those absurd laws did not hinder them. The arts of weaving plain linen and plain silk, for example, are almost entirely the same. That of weaving plain woolen is somewhat different; but the difference is so insignificant that either a linen or a silk weaver might become a tolerable work in a very few days. If any of those three capital manufactures, therefore, were decaying, the workmen might find a resource in one of the other two which was in a more prosperous condition; and their wages would neither rise too high in the thriving, nor sink too low in the decaying manufacture. The linen manufacture indeed is, in England, by a particular statute, open to everybody; but as it is not much cultivated through the greater part of the country, it can afford no general resource to the workmen of other decaying manufactures, who, wherever the Statute of Apprenticeship takes place, have no other choice but either to come upon the parish,[1] or to work as common laborers, for which, by their habits, they are much worse qualified than for any sort of manufacture that bears any resemblance to their own. They generally, therefore, choose to come upon the parish.

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[1] *three requisites ... occasion* In the preceding section, Smith wrote that there are three circumstances, in addition to perfect freedom, which are necessary for people to have "equality in the whole of their advantages or disadvantages.... First, the employments must be well known and long established in the neighborhood; secondly, they must be in their ordinary, or what may be called their natural state; and, thirdly, they must be the sole or principal employments of those who occupy them."

[2] *affected* Artificial, designed to make an impression.

[3] *impertinent* Irrelevant.

[4] *The Statute of Apprenticeship* English law specifying seven years as the required term of an apprenticeship.

[...]

from *Book 4*

Chapter 2: Of Restraints upon the Importation from Foreign Countries of Such Goods as Can Be Produced at Home

[...]

Every individual is continually exerting himself to find out the most advantageous employment for whatever capital he can command. It is his own advantage, indeed, and not that of the society, which he has in view. But the study of his own advantage naturally, or rather necessarily, leads him to prefer that employment which is most advantageous to the society.

First, every individual endeavors to employ his capital as near home as he can, and consequently as much as he can in the support of domestic industry; provided always that he can thereby obtain the ordinary, or not a great deal less than the ordinary profits of stock.

[...]

Secondly, every individual who employs his capital in the support of domestic industry, necessarily endeavors so to direct that industry that its produce may be of the greatest possible value.

The produce of industry is what it adds to the subject or materials upon which it is employed. In proportion as the value of this produce is great or small, so will likewise be the profits of the employer. But it is only for the sake of profit that any man employs a capital in the support of industry; and he will always, therefore, endeavor to employ it in the support of that industry of which the produce is likely to be of the greatest value, or to exchange for the greatest quantity either of money or of other goods.

But the annual revenue of every society is always precisely equal to the exchangeable value[2] of the whole annual produce of its industry, or rather is precisely the same thing with that exchangeable value. As every individual, therefore, endeavors as much as he can both to employ his capital in the support of domestic industry, and so to direct that industry that its produce may be of the greatest value; every individual necessarily labors to render the annual revenue of the society as great as he can. He generally, indeed, neither intends to promote the public interest, nor knows how much he is promoting it. By preferring the support of domestic to that of foreign industry, he intends only his own security; and by directing that industry in such a manner as its produce may be of the greatest value, he intends only his own gain, and he is in this, as in many other cases, led by an invisible hand[3] to promote an end which was no part of his intention. Nor is it always the worse for the society that it was no part of it. By pursuing his own interest he frequently promotes that of the society more effectually than when he really intends to promote it. I have never known much good done by those who affected to trade for the public good. It is an affectation, indeed, not very common among merchants, and very few words need be employed in dissuading them from it.

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[1] *come upon the parish* To live in poverty, relying on public support. In England prior to the nineteenth century, relief for those in dire poverty was provided (if at all) through local parishes, not by the national government.

[2] *exchangeable value* What people are willing to exchange for it.

[3] *invisible hand* This famous term, often associated with arguments for unrestrained capitalism, was originated by Smith. The term is used only three times in his writing. It occurs once in a book on astronomy, as a metaphor for the divine agency some-

Chapter 9: Of the Agricultural Systems

[...]

It is thus that every system which endeavors, either by extraordinary encouragements to draw towards a particular species of industry a greater share of the capital of the society than what would naturally go to it, or, by extraordinary restraints, force from a particular species of industry some share of the capital which would otherwise be employed in it, is in reality subversive of the great purpose which it means to promote. It retards, instead of accelerating, the progress of the society towards real wealth and greatness; and diminishes, instead of increasing, the real value of the annual produce of its land and labor.

All systems either of preference or of restraint, therefore, being thus completely taken away, the obvious and simple system of natural liberty establishes itself of its own accord. Every man, as long as he does not violate the laws of justice, is left perfectly free to pursue his own interest his own way, and to bring both his industry and capital into competition with those of any other man, or order of men. The sovereign is completely discharged from a duty, in the attempting to perform which he must always be exposed to innumerable delusions, and for the proper performance of which no human wisdom or knowledge could ever be sufficient; the duty of superintending the industry of private people, and of directing it towards the employments most suitable to the interest of the society. According to the system of natural liberty, the sovereign has only three duties to attend to; three duties of great importance, indeed, but plain and intelligible to common understandings: first, the duty of protecting the society from violence and invasion of other independent societies; secondly, the duty of protecting, as far as possible, every member of the society from the injustice or oppression of every other member of it, or the duty of establishing an exact administration of justice; and, thirdly, the duty of erecting and maintaining certain public works and certain public institutions which it can never be for the interest of any individual, or small number of individuals, to erect and maintain; because the profit could never repay the expense to any individual or small number of individuals, though it may frequently do much more than repay it to a great society.

The proper performance of those several duties of the sovereign necessarily supposes a certain expense; and this expense again necessarily requires a certain revenue to support it. In the following book, therefore, I shall endeavor to explain, first, what are the necessary expenses of the sovereign or commonwealth; and which of those expenses ought to be defrayed by the general contribution of the whole society; and which of them by that of some particular part only, or of some particular members of the society; secondly, what are the different methods in which the whole society may be made to contribute towards defraying the expenses incumbent on the whole society, and what are the principal advantages and inconveniences of each of those methods; and thirdly, what are the reasons and causes which have induced almost all modern governments to mortgage some part of this revenue, or to contract debts, and what have been the effects of those debts upon the real wealth, the annual produce of the land and labor of the society.

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times thought to be behind unusual natural events—"acts of God." The other two uses of the term, once here and once in *The Theory of Moral Sentiments*, refer to unseen, unconscious forces of economic law which Smith, suggests, produce public good as a by-product of private, self-interested action. In Part 4,1,10 of *The Theory of Moral Sentiments*, he writes: "The produce of the soil maintains at all times nearly that number of inhabitants which it is capable of maintaining. The rich only select from the heap what is most precious and agreeable. They consume little more than the poor, and in spite of their natural selfishness and rapacity, though they mean only their own conveniency, though the sole end which they propose from the labors of all the thousands whom they employ, be the gratification of their own vain and insatiable desires, they divide with the poor the produce of all their improvements. They are led by an invisible hand to make nearly the same distribution of the necessaries of life, which would have been made, had the earth been divided into equal portions among all its inhabitants, and thus without intending it, without knowing it, advance the interest of the society, and afford means to the multiplication of the species."

IMMANUEL KANT
(1724 – 1804)

Who Was Immanuel Kant?

Immanuel Kant—considered by many the most important philosopher of the past 300 years—was born in 1724 on the coast of the Baltic Sea, in a regionally important harbor city in East Prussia[1] called Königsberg. Kant spent his whole life living in this town, and never ventured outside its region. His family were devout members of an evangelical Protestant sect (rather like the Quakers or early Methodists) called the Pietists, and Pietism's strong emphasis on the inner life, emotional religiosity, and distrust of religious dogma had a deep effect on Kant's character. Kant's father was a craftsman (making harnesses and saddles for horses) and his family was fairly poor; Kant's mother, whom he loved deeply, died when he was thirteen.

Kant's life is notorious for its outward uneventfulness. He was educated at a strict Lutheran school in Königsberg, and after graduating from the University of Königsberg in 1746 (where he supported himself by some tutoring and also by his skill at billiards and card games) he served as a private tutor to various families in the area until he was appointed as a lecturer at the university in 1755. However his position—that of *Privatdozent*—carried no salary, and Kant was expected to support himself by the income from his lecturing; financial need caused Kant to lecture for thirty or more hours a week, on a huge range of subjects (including mathematics, physics, geography, anthropology, ethics, and law). During this period Kant published several scientific works and his reputation as a scholar grew; he turned down opportunities for professorships in other towns (Erlangen and Jena). Finally, at the age of 46, Kant became professor of logic and metaphysics at the University of Königsberg, a position he held until his retirement twenty-six years later in 1796. After a tragic period of senility he died in 1804, and was buried with pomp and circumstance in the "professors' vault" at the Königsberg cathedral.[2]

Kant's days were structured by a rigorous and unvarying routine—indeed, it is often said (perhaps with exaggeration) that the housewives of Königsberg were able to set their clocks by the regularity of his afternoon walk. He never married (though twice he nearly did) and lived by all accounts a quite austere and outwardly unemotional life. He was something of a hypochondriac, hated noise, and disliked all music except for military marches. Nevertheless, anecdotes by those who knew him give the impression of a warm, impressive, rather noble human being, capable of great kindness and dignity and sparkling conversation. He did not shun society, and in fact his regular daily routine included an extended lunchtime gathering at which he and his guests—drawn from the cosmopolitan stratum of Königsberg society—would discuss politics, science, philosophy, and poetry.

Kant's philosophical life is often divided into three phases: his "pre-Critical" period, his "silent" period, and his "Critical" period. His pre-Critical period began in 1747 when he published his first work (*Thoughts on the True Estimation of Living Forces*) and ended in 1770 when he wrote his Inaugural Dissertation—*Concerning the Form and*

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[1] Prussia is a historical region which included what is today northern Germany, Poland, and the western fringes of Russia. It became a kingdom in 1701, and then a dominant part of the newly unified Germany in 1871. Greatly reduced after World War I, the state of Prussia was formally abolished after World War II, and Königsberg—renamed Kaliningrad during the Soviet era, after one of Stalin's henchmen—now sits on the western rump of Russia (between Poland and Lithuania).

[2] His body no longer remains there: in 1950 his sarcophagus was broken open by unknown vandals; Kant's corpse was stolen and never recovered.

Principles of the Sensible and Intelligible World—and became a professor. Between 1770 and 1780, Kant published almost nothing. In 1781, however, at the age of 57, Kant made his first major contribution to philosophy with his monumental *Critique of Pure Reason* (written, Kant said, over the course of a few months "as if in flight"). He spent the next twenty years in unrelenting intellectual labor, trying to develop and answer the new problems laid out in this masterwork. First, in order to clarify and simplify the system of the *Critique* for the educated public, Kant published the much shorter *Prolegomena to Any Future Metaphysics* in 1783. In 1785 came Kant's *Groundwork for the Metaphysics of Morals*, his first important work on moral theory. During this period he published a number of moral, social, and political works, including the essay "What Is Enlightenment?" (1784), where he provides a seminal definition of the age of enlightenment in which "Enlightenment (*Aufklärung*) is the human being's emergence from his self-incurred immaturity." In 1788 he published what is now known as his "second Critique": the *Critique of Practical Reason*. His third and final Critique, the *Critique of Judgement*, was published in 1790.

Other celebrated moral and political essays followed, including "On the Common Saying: 'That may be right in theory but does not work in practice'" (1795) and "On Perpetual Peace: A Philosophical Sketch" (1795) (included here), which contains the central statement of his cosmopolitanism, as well as the notorious essay, "On the Supposed Right to Lie from Philanthropy" (1797), in which Kant argues that one should never lie, even to prevent a murderer from reaching his victim. Also in 1797 he published his long awaited *The Metaphysics of Morals*, which contains the *Doctrine of Right* and the *Doctrine of Virtue*, laying out his legal and political theory, followed by his last major work, *Anthropology from a Pragmatic Point of View* (1798).

By the time he died, Kant had already become known as a great philosopher. Over his grave was inscribed a quote from one of his books (the *Critique of Practical Reason*), which sums up the impulse for his philosophy: "Two things fill the mind with ever new and increasing admiration and reverence, the more often and more steadily one reflects on them: the starry heavens above me and the moral law within me."

What Was Kant's Overall Philosophical Project?

Kant's critical philosophy is a turning point in the history of philosophy and he revolutionized virtually every area of philosophy, especially metaphysics, epistemology, ethics, and aesthetics. Though some scholars dispute the aptness of this distinction, seventeenth- and eighteenth-century philosophers are often grouped into two camps, the rationalists and the empiricists.[1] The rationalists (chiefly Descartes, Spinoza, and Leibniz) held that knowledge could be obtained a priori through the use of reason; the empiricists (represented by Locke, Berkeley, and Hume) claimed that knowledge could only be gained through experience.

Kant bridged these two approaches. Rather than siding with either of the rationalists or the empiricists, Kant instead asked, "How is knowledge possible?" and introduced "transcendental" arguments which concern "all knowledge which is occupied not so much with objects as with the mode of our knowledge of objects insofar as this mode of knowledge is to be possible *a priori* " (Immanuel Kant, *Critique of Pure Reason*, Introduction). In order to answer the question of how knowledge is possible, he made two separate distinctions: between "a priori" judgments (independent from and prior to experience) and "a posteriori" judgments (after experience), and between "analytic" and "synthetic" judgments. What earlier philosophers had termed truths of reason were categorized by Kant as instances of "analytic a priori" knowledge, while empirical truths of fact were classed by Kant as "synthetic a posteriori" knowledge. To this classification Kant adds *synthetic a priori judgments*, judgments that we know *a priori* and therefore do not learn from experience, but that nevertheless go beyond merely "analytic" claims about our own concepts.[2] Synthetic a priori knowledge is possible insofar as it is knowledge of the *conditions of our experience of the world*—they are prior to any *possible* experience.

Kant, famously, described this insight as constituting a kind of "Copernican revolution" in philosophy: just as Copernicus set cosmology on a totally new path by suggesting (in 1543) that the Earth orbits the Sun and not the other way around, so Kant suggested that rather than assuming that "all our knowledge must conform to objects," instead we might "suppose that objects must conform to our knowledge." Rather than merely passively representing objects in the world independent of mental contribution, Kant held that the mind actively *constitutes* its objects with the categories of time, space and causation as conditions of experience.

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[1] Like any crude classification, the rationalist/empiricist divide does not do justice to the individual thinkers, who, not surprisingly, rely *both* on reason independent of experience, and on experience. For example, the empiricists typically accepted the seemingly trivial "relations of ideas" as being knowable independent of experience. Ironically, Descartes and Leibniz were both great scientists (relying on empirical observation), a distinction that Locke, Berkeley, and Hume did not hold.

[2] There are no analytic *a posteriori* judgments: if a judgment is analytic, there is no need for experience to determine whether or not it is true.

On this view, limits are placed on metaphysical knowledge. By establishing the limits of experience, Kant denies that there are theoretically adequate arguments for the existence of God, the soul, freedom or the nature of the world, but argues we can nonetheless use philosophical arguments concerning such matters as "regulative" notions for our inquiry.

In such a context, the limits on reason give rise to a series of "antinomies," paired propositions, a thesis and antithesis, both of which seem in each case to be provable by reason but which are contradictory. Particularly relevant for Kant's ethics (and political thought) is the third antinomy between freedom and determinism. Kant worried about the conflict between free will and natural causality (i.e., causality according to the laws of nature). He was impressed by the scientific advances of his age, particularly those stemming from the work of Isaac Newton, in which scientific laws had come to include the principle of universal causal determination—the principle that nothing happens (including choosing to do *X* rather than *Y*) without a cause. At the same time, on Kant's view, we cannot disprove the claim that we are free. In order to resolve this antinomy, Kant argues that we must give each side its due by limiting the domain over which the claims hold.

Thus, Kant argues that we are entitled to assume that we are free—and indeed (as we will see) bases his moral and political thought on an assumption of freedom. Morality rests on the conviction that agents can freely will their actions.[1] Simply by posing the question "what ought I to do" to ourselves we presuppose that we are free. In the *Groundwork*, Kant seeks the foundational principle of morality, providing a precise formulation implicit in our commonsense ideas about morality. To this purpose, Kant begins the *Groundwork* with the assertion that the only thing that is good in itself is a good will. Though many characteristics or objects are typically considered to be good, they can be applied towards dubious ends. For example, courage and intelligence are often considered to be good, but a brilliant, courageous bank robber might well do more harm than a dull, cowardly one. Kant also rejects happiness as the good. Indeed, a good will is necessary to deserve happiness. Furthermore, whether we achieve our ends (including happiness) is beyond our control, so our moral judgments typically evaluate people's *intentions*, not their actions.

The good will, for Kant, is manifested in actions that are performed for the sake of duty. These actions are autonomous (self-determined), in that the agent, as a free being, is the author of the law which she obeys. This is opposed to heteronomous actions—ones determined by factors outside of the agent, including her desires and emotions. (Actions determined by factors in the phenomenal world are part of the causal chain and therefore cannot be free for Kant.)

In order to understand what Kant means by "autonomy,"[2] it is necessary to discuss imperatives. Kant distinguishes hypothetical and categorical imperatives. Hypothetical imperatives exemplify instrumental or means/ends reasoning. They have the form of "if you want *x*, then do *y*." Hypothetical imperatives are not unconditionally binding, since agents can always reject or modify their ends—they are commands for an agent only if she has the relevant goal. A categorical imperative, on the other hand, commands unconditionally, no matter what goals the agent has. Kant argues that there is a single categorical imperative, which is a synthetic a priori principle (that is, one known independently of experience). Morality is only possible if there is a categorical imperative, and much of the *Groundwork* tries to show that this is the case, as well as set out the form of the categorical imperative.

Kant offers a number of "formulations" of the categorical imperative.[3] The first formulation is usually called the "Formula of Universal Law" and commands that you "Act only on that maxim whereby you can at the same time will that it become a universal law." Thus, when we act, we must test our maxim (the principle of action) to see if it can be universalized. If there is a contradiction when it is universalized (that is, if it can't be willed as universal law), our action is not permitted. Kant gives the example of giving a false promise and argues that any attempt to universalize the maxim "Everyone may make a deceitful promise when he finds himself in a difficulty from which he cannot otherwise extricate himself" would destroy the practice of promising altogether, thus demonstrating the impermissibility of false promising.

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[1] We typically do not hold people morally responsible for actions they did not choose or intend.

[2] "Autonomy" comes from the Greek words for self—*autos*—and law—*nomos*—and hence means something like "following one's own laws."

[3] There is controversy around how many formulations of the categorical imperative Kant provides in the *Groundwork*. He follows this version with "Act as if the maxim of your action were to become by your will a universal law of nature," which is arguably distinct. If this is correct, there are four formulations. The Formula of Universal Law and the Formula of Humanity as an End in Itself are the most important, though the Formula of the Kingdom of Ends is perhaps the most relevant to his political philosophy. Kant claimed that all of the formulations of the categorical imperative are equivalent, though there is considerable disagreement about whether this is true and even about what this claim might mean.

Many moral and political philosophers find that Kant's "Formula of Humanity as an End in Itself " offers better guidance. This commands: "*So act as to treat humanity, whether in your own person or in that of any other, in every case at the same time as an end, never as a means only.*" Under this formula, every rational agent must take into account that not only does she set her ends, but that other autonomous agents do the same. When interacting with other rational and autonomous agents, it is necessary to respect their ends and obtain their *consent*. To do otherwise is to treat them as a *mere means*, ignoring their rationality and their freedom. Thus, false promising is ruled out since we cannot possibly consent to someone deceiving us. The Formula of Humanity as an End in Itself also establishes positive duties—to promote humanity as an end in itself—including positive duties to others (such as performing charitable acts) and positive duties to one's self (such as developing one's talents).

This brings us to the third formulation, which is of particular relevance to Kant's political philosophy, the formula of the Kingdom of Ends: "Act according to the maxims of a member of a merely possible kingdom of ends legislating in it universally." In this formula, all free and rational agents harmonize their ends by legislating a set of universal laws.

Though Kant's political philosophy is clearly related to his moral thought, it is not simply an extension of his moral views. Perhaps most importantly, Kant holds that the state neither can nor should attempt to regulate the moral behavior of its members. In the *Groundwork*, Kant stresses that actions can be performed *in accordance* with duty, but not necessarily *from* duty, depending on whether the agent is motivated by the moral law or mere inclination. The avaricious shopkeeper who does not cheat her clients because she knows that it will hurt her business in the long run does not act morally, though her actions may be indistinguishable to the observer from those of the honest shopkeeper motivated by the moral law. In *The Metaphysics of Morals* Kant divides duties into duties of right and duties of virtue. Only duties of right are subject to law and external coercion, since "no external lawgiving can bring about someone's setting an end for himself " (*Metaphysics of Morals*, 6.239). In other words, the state may compel people to behave in certain ways (i.e., regulate their external behavior), but it cannot coerce them to endorse particular ends.

Kant is a central figure in the liberal tradition due to his emphasis on rights, his use of contract theory, and his division between justice and virtue. As well, he strongly resisted paternalism, arguing that so long as action is rightful, the state should respect and protect the agent's freedom. He does not think the state should attempt to set citizens' ends, or compel virtuous behavior. His doctrine of right is grounded in a principle related to the categorical imperative: "Freedom (independence from being constrained by another's choice) insofar as it can coexist with the freedom of every other in accordance with a universal law, is the only original right belonging to every man by virtue of his humanity" (*Metaphysics of Morals*, 6.237). Thus, "any action is right if it can coexist with everyone's freedom in accordance with a universal law" (*Metaphysics of Morals*, 6.230–31). Similarly, Kant argues that a republican constitution (i.e., a system of government that protects liberty, and upholds the rule of law) is the only form of government compatible with the rights of human beings.

Despite the centrality of freedom in his political thought, Kant's specific views seem surprisingly authoritarian to the modern reader. Kant asserts that each partner in marriage has the right to force the other to remain in the marriage ("if one of the partners in a marriage has left or given itself into someone else's possession, their partner is justified, always and without question, in bringing its partner back under its control, just as it is justified in retrieving a thing") (*Metaphyiscs of Morals*, 6.278).[1] Similarly, he advocates a harsh retributive form of justice, based on *ius talionis* (the legal principle that argues on the basis of like for like, as in "eye for an eye, tooth for a tooth"). In a notorious passage, Kant writes:

> Even if a civil society were to be dissolved by the consent of all of its members ... the last murderer remaining in prison would first have to be executed, so that each has done to him what his

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[1] Kant also says women and those who labor for others should not be allowed to vote.

> deeds deserve and blood guilt does not cling to the people for having insisted upon this punishment; for otherwise the people can be regarded as collaborators in this public violation of justice. (*Metaphysics of Morals*, 6.333)

Furthermore, Kant explicitly denies (unlike John Locke) any right to rebel against the state—in fact, Kant claims that such a right would be "self-contradictory" (*Metaphysics of Morals*, 6.371). Civil disobedience is also condemned.

However, Kant does stress the importance of *public reason* (a notion adopted by one of Kant's most important political heirs, John Rawls):

> The public use of one's reason must always be free, and it alone can bring about enlightenment among human beings; the private use of one's reason may, however, often be very narrowly restricted without this particularly hindering the progress of enlightenment. ("What Is Enlightenment?" 8.37)

By public reason, Kant refers to the work of scholars presented before the public; he advocates academic freedom, as long as it does not amount to rebellion. But the private reason of the civil servant can be restricted, as civil servants are expected to behave passively and follow orders. While Kant does suggest that our duty to obey the state extends only to those cases in which its edicts do not conflict with "inner morality" (*Metaphysics of Morals*, 6.371), this is not a call for rebellion, but an assertion of a duty to accept execution rather than act immorally.

Kant's authoritarianism is directly related to his conception of the state, which he develops from his highly original version of the social contract. For Kant the social contract is not based on actual or even hypothetical consent.

> [The original contract] is instead *only an idea* of reason, which, however, has its undoubtable practical reality, namely to bind every legislator to give his laws in such a way that they *could* have arisen from the united will of a whole people and to regard each subject, insofar as he wants to be a citizen, as if he has joined in voting for such a will. ("On the common saying: That may be correct in theory, but it is of no use in practice")

Unlike the social contracts of Hobbes, Locke, and Rousseau, all of whom influenced him, Kant does not base his social contract on the individual consent of the members of society. In fact, agents in the state of nature can compel others to enter civil society against their will. In an important passage from *The Metaphysics of Morals*, Kant writes:

> [H]owever well disposed and law-abiding human beings might be, it still lies a priori in the rational idea of such a condition (one that is not rightful) that before a public lawful condition is established individual human beings, peoples and states can never be secure against violence from one another, since each has its own right to do *what seems right and good to it* and not to be dependent upon another's opinion about this. So, unless it wants to renounce any concepts of right, the first thing it has to resolve upon is the principle that it must leave the state of nature, in which each follows its own judgment, unite itself with all others (with which it cannot avoid interacting), subject itself to a public lawful external coercion, and so enter into a condition in which what is to be recognized as belonging to it is determined *by law* ... (*Metaphysics of Morals*, 6.312)

It is a mistake to identify Kant's vision of the state of nature with Hobbes's. Kant believes that people in the state of nature can be sociable. But this does not rule out the fact that conflict will occur. Importantly, for Kant, it is not experience that teaches us that people living side by side can be violent.[1] Rather, in the state of nature, "each has its own right to do *what seems right and good to it* and not to be dependent upon another's opinion about this" (*Metaphysics of Morals*, 6.312). This does not refer to a clash of selfish interests (though the human tendency to favor the "dear self " over the commands of morality is no doubt a problem for Kant). Instead, each individual has her own interpretation of what is right.[2] In many ways, this is even more problematic than a mere clash of selfish desires. Selfish desires can give way to bargaining or compromise, whereas a dispute over principles can be resolved only by entering a law-governed civil society with the authority to adjudicate these principles. On Kant's constructivist theory of rights, rights do not exist (they are merely "provisional") until enacted by a government. Since justice is only possible in civil society and justice is an end that we should have, we have a *duty* to bring ourselves into civil status (and force others nearby to join us).

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[1] For Kant, if people were widely dispersed around the world and did not encounter each other, there would be no need for civil society since nobody would threaten anybody else's freedom or compete for the same resources. Instead—one can surmise—there would simply be "cosmopolitan right," a right to hospitality entailing non-aggression.

[2] This can be seen today when people disagree over the interpretation of rights. For example, does a right to free speech guarantee the right to publicly denigrate minorities? Does a woman's right to control her body give her the right to an abortion? Reasonable people disagree.

An example may help to illustrate Kant's point. As is the case in Locke, Hume, and Rousseau, one of Kant's major concerns in political philosophy is property. A property right, for Kant, is the right to exclude others. A property right, however, is not something that we can observe (it is not empirical), but, rather, an instance of *intelligible possession.* (The fact that something belongs to me doesn't depend on my physical control of an object, but rather on the public recognition that the object is mine.) Thus, when I claim that an object is mine, I am imposing an obligation on everyone else to refrain from appropriating it. But this claim implies a universal claim that everyone should respect everyone else's property right, since a unilateral will cannot serve as a coercive law for everyone. Without this universal agreement there is no obligation to respect anyone's property. Thus, what is needed is a collective agreement that places everyone in a civil condition of law. According to Kant, the very *possibility* of having a property right requires a civil condition under which property claims can be enforced and mediated.

Kant also investigated the rights of nations, most notably in "On Perpetual Peace" (and in *The Metaphysics of Morals,* 6.352–54). He divides justice or right into "civil right" (concerned with domestic relations); "international right" (dealing with rights governing the interaction of states, such as those dealing with treaties or war); and "cosmopolitan right," which he limits to universal hospitality, the right for aliens not be treated as enemies in foreign states, and the right for merchants to conduct trade.

The school of political realism, following Hobbes, views the international sphere as a state of nature, ungoverned by law or morality. In the state of nature, the only right is the right to self-preservation, and there are no duties. Kant disputes this: just as he sees an obligation of individuals in the state of nature to form a civil society, so he argues that nations must also try to escape their lawless state and form a federation of free states. This federation of states should not be confused with a world government. Instead, its goal is to end war forever, with the narrow function of guaranteeing each state's security and freedom (similar to the function of the League of Nations after World War I and the current United Nations Security Council).

What Is the Structure of These Readings?

In the First Section of the *Groundwork*, Kant attempts to derive the principles of morality from common sense notions of morality. He analyzes the concepts of the good will and of duty and sets out the Formulation of the Universal Law. The Second Section develops common sense notions into a proper "metaphysics of morals," embedded in a general theory of practical reason. Kant discusses the difference between hypothetical and categorical imperatives, and explains why categorical imperatives are binding. He also sets out the Formulation of the End in Itself and the Formulation of the Kingdom of Ends in this section. The Third Section (which is not reprinted here) argues that the human will is not subject to the laws of nature—in other words, that we are free—and that if we understand ourselves as rational, we must also consider ourselves free. Thus, to be rational is to be governed by the moral law.

"On Perpetual Peace" begins with a series of preliminary articles concerning peace among nations. Kant follows these with three definitive articles: 1) The civil constitution of every nation should be republican; 2) The right of nations shall be based on a federation of free states; and 3) Cosmopolitan right shall be limited to conditions of universal hospitality. To these articles, he adds two supplements, the first of which presents a teleological theory of history suggesting that *nature* is moving toward perpetual peace, and the second of which provides arguments as to why philosophers should be consulted by nations armed for war. A long appendix discusses the relationship between morality and politics in relation to perpetual peace.

Some Common Misconceptions

i) It is sometimes thought that Kant claims that we only act morally when we do something we don't want to do. (In the *Groundwork*, Kant discusses a philanthropist with a sympathetic soul that leads him to help others out of inclination. He claims that this philanthropist deserves praise, but not esteem, and that only if this person were to fall into despair and act solely because of duty would the action have genuine moral worth.) But Kant does not say that the mere presence of an inclination detracts from an action's moral worth; he says rather that the primary motive must be duty. Kant is constantly aware of the tendency for the "dear self" to lead people to immoral actions and, for this reason, stresses the importance of acting from duty. Kant also doubts that we can ever entirely divine true motives—even our own true motives.

ii) Kant does not claim that the good will is the *only thing* which is good, that everything which is good is merely a *means* to the achievement of a good will, or even that a good will is *all* we require for a completely good life. It is perfectly consistent with Kant's views to point out that, say, health or pleasure are valuable for their own sake. Kant's claim is that the good will is the *highest* good, and that it is the *precondition* of all the other goods (i.e., nothing else is good unless it is combined with a good will). By contrast, a good will is unconditionally good: it has its goodness in all possible circumstances, independent of its relation to anything else.

iii) It is an error to consider Kant's moral philosophy as authoritarian. For Kant, moral duty is not imposed from the outside. Rather, the moral law is self-legislated and comes from the agent. Genuine freedom is only possible through rational action guided by the moral law.

iv) When reading Kant's political philosophy, it is necessary to keep in mind the ways in which he distinguishes between moral and political questions. Political philosophy concerns positive law—laws that are actually implemented in civil society and that govern the actions of citizens. In fact, Kant claims in the First Supplement of "On Perpetual Peace" that "the problem of organizing a nation is solvable even for a people comprised of devils (if only they possess understanding)." Needless to say, though these devils may outwardly conform to the rules of morality, they are in no way moral.

How Influential Are These Readings?

Kant's *Groundwork for the Metaphysics of Morals* is one of the central works of philosophy. The philosopher H.J. Paton called it "one of the small books which are truly great: it has exercised on human thought an influence almost ludicrously disproportionate to its size.... Its main topic—the supreme principle of morality—is of the utmost importance to all who are not indifferent to the struggle of good against evil." Many of the most important twentieth- and twenty-first-century moral and political theorists, including John Rawls, Jürgen Habermas, Christine Korsgaard, Onora O'Neill, and Thomas Nagel, descend from Kant.

"On Perpetual Peace" has been accorded a good deal of attention in the late twentieth and early twenty-first centuries as philosophers have grappled with the need for an international political theory that addresses the reality of an increasingly globalized world. It is central to John Rawls' *Law of Peoples*, and it has become a touchstone for philosophers attempting to formulate cosmopolitan theories of justice.

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Groundwork for the Metaphysics of Morals (1785)

from *Preface*

Ancient Greek philosophy was divided into three sciences:[1] physics, ethics, and logic. This division is perfectly suitable to the nature of the thing; and the only improvement that can be made in it is to add the principle on which it is based, so that we may both satisfy ourselves of its completeness, and also be able to determine correctly the necessary subdivisions.

All rational cognition is either *material* or *formal*: the former considers some object, the latter is concerned only with the form of the understanding and of reason itself, and with the universal laws of thought in general without distinction of its objects. Formal philosophy is called logic. Material philosophy, however, which has to do with determinate[2] objects and the laws to which they are subject, is again twofold; for these laws are either laws of **nature** or of **freedom**. The science of the former is **physics**, that of the latter, **ethics**; they are also called natural philosophy[3] and moral philosophy respectively.

[...]

As my concern here is with moral philosophy, I limit the question suggested to this: whether it is not of the utmost necessity to construct a pure moral philosophy, perfectly cleared of everything which is only empirical and which belongs to anthropology? For that such a philosophy must be possible is evident from the common idea of duty and of the moral laws. Everyone must admit that if a law is to have moral force, that is, to be the basis of an obligation, it must carry with it absolute necessity; that, for example, the precept, "You ought not to lie," is not valid for human beings alone, as if other rational beings had no need to observe it; and so with all the other moral laws properly so called; that therefore, the basis of obligation must not be sought in the nature of the human being, or in the circumstances in the world in which he is placed, but *a priori*[1] simply in the concepts of pure reason;[2] and although any other precept which is founded on principles of mere experience may be in certain respects universal, yet in as far as it rests even in the least degree on an empirical basis, perhaps only as to a motive, such a precept, while it may be a practical rule, can never be called a moral law.

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[1] *sciences* Branches of knowledge.

[2] *determinate* Definite and particular.

[3] *natural philosophy* "Natural philosophy" corresponds to what is today called "natural science."

Thus not only are moral laws with their principles essentially distinguished from every other kind of practical cognition in which there is anything empirical, but all moral philosophy rests wholly on its pure part. When applied to human beings, it does not borrow the least thing from acquaintance with them (anthropology), but gives laws *a priori* to them as rational beings. No doubt these laws require a judgment sharpened by experience, in order, on the one hand, to distinguish in what cases they are applicable, and, on the other, to procure for them access to the will of the human being, and effectual influence on conduct; since the human being is acted on by so many inclinations[3] that, though capable of the idea of a practical pure reason, he is not so easily capable of making it effective *in concreto*[4] in his life. A metaphysics of morals is therefore indispensably necessary, not merely because of a motive of speculation, in order to investigate the sources of the practical principles which are to be found *a priori* in our reason, but also because morals themselves are liable to all sorts of corruption as long as we are without that guide and supreme canon by which to estimate them correctly. For in order that an action should be morally good, it is not enough that it *conform* to the moral law, but it must also be done *for the sake* of the law, otherwise that conformity is only very contingent[5] and uncertain; since a principle which is not moral, although it may now and then produce actions conformable to the law, will also often produce actions which contradict it. Now it is only in a pure philosophy that we can look for the moral law in its purity and genuineness (and, in a practical matter, this is of the utmost consequence): we must, therefore, begin with pure philosophy (metaphysics), and without it there cannot be any moral philosophy at all. That which mingles these pure principles with the empirical does not deserve the name of philosophy (for what distinguishes philosophy from common rational knowledge is that it treats in separate sciences what the latter only comprehends confusedly); much less does it deserve that of moral philosophy, since by this confusion it even spoils the purity of morals themselves and counteracts its own end.

[...]

First Section: Transition from the Common Rational Moral Cognition to the Philosophical Moral Cognition

Nothing can possibly be conceived in the world, or even out of it, which can be called good without qualification, except a *good will*. Intelligence, wit, judgment, and the other *talents* of the mind, however they may be named, or courage, resolution, perseverance, as qualities of *temperament*, are undoubtedly good and desirable in many respects; but these gifts of nature may also become extremely bad and mischievous if the will which is to make use of them, and which, therefore, constitutes what is called *character*, is not good. It is the same with the *gifts of fortune*. Power, riches, honor, even health, and the general well-being and contentment with one's condition which is called *happiness*, inspire pride, and often presumption, if there is not a good will to correct the influence of these on the mind, and with this also to rectify the whole principle of acting, and adapt it to its end. The sight of a being who is not adorned with a single feature of a pure and good will, enjoying unbroken prosperity, can never give pleasure to an impartial spectator.

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[1] *a priori* Latin: from what comes first. The *a priori* is independent of any empirical (sense-based) investigation.

[2] *pure reason* That is, reason untainted by any empirical concepts or beliefs.

[3] *inclinations* Desires, emotions, or feelings that motivate people to act in a heteronomous (unfree) way. Kant holds that the moral law, not inclination, motivates autonomous (free) actions, and he contrasts inclination with reason.

[4] *in concreto* In actual practice, with regard to particular real "concrete" examples; in contrast to "*in abstracto*"—in the abstract.

[5] *contingent* Conditional, dependent on the specific ends of the agent, which may change, or other unpredictable factors.

Thus a good will appears to constitute the indispensable condition even of being worthy of happiness.

There are even some qualities which are of service to this good will itself, and may facilitate its action, yet which have no inner unconditional value, but always presuppose a good will, and this qualifies the esteem that we justly have for them, and does not permit us to regard them as absolutely good. Moderation in the affections and passions, self-control, and calm deliberation are not only good in many respects, but even seem to constitute part of the *inner* worth of the person; but they are far from deserving to be called good without qualification, although they have been so unconditionally praised by the ancients. For without the principles of a good will, they may become extremely evil; and the coldness of a villain not only makes him far more dangerous, but also directly makes him more abominable in our eyes than he would have been without it.

A good will is good not because of what it accomplishes or effects, not by its aptness for the attainment of some proposed end, but simply by virtue of the volition—that is, it is good in itself, and considered by itself is to be esteemed much higher than all that can be brought about by it in favor of any inclination, or even the sum total of all inclinations. Even if it should happen that, owing to a step-motherly nature, this will should wholly lack power to accomplish its purpose, if with its greatest efforts it should yet achieve nothing, and there should remain only the good will (not, to be sure, a mere wish, but the summoning of all means in our power), then, like a jewel, it would still shine by its own light, as a thing which has its whole value in itself. Its usefulness or fruitlessness can neither add to nor take away anything from this value. It would be, as it were, only the setting to enable us to handle it more conveniently in common commerce, or to attract to it the attention of those who are not yet connoisseurs, but not to recommend it to true connoisseurs, or to determine its value.

There is, however, something so strange in this idea of the absolute value of a mere will, in which no account is taken of its utility, that notwithstanding the thorough assent of even common reason to the idea, yet a suspicion must arise that it may perhaps really be the product of mere high-flown fancy, and that we may have misunderstood the purpose of nature in assigning reason as the governor of our will. Therefore we will examine this idea from this point of view.

In the natural constitution of an organized being, that is, a being adapted suitably to the purposes of life, we assume it as a fundamental principle that no organ for any purpose will be found but what is also the fittest and best adapted for that purpose. Now in a being which has reason and a will, if the proper object of nature were its *preservation*, its *welfare*, in a word, its *happiness*, then nature would have hit upon a very bad arrangement in selecting the reason of the creature to carry out this purpose. For all the actions which the creature has to perform with a view to this purpose, and the whole rule of its conduct, would be far more surely prescribed to it by instinct, and that end would have been attained thereby much more certainly than it ever can be by reason. Should reason have been imparted to this favored creature over and above, it must only have served it to contemplate the happy constitution of its nature, to admire it, to congratulate itself on it, and to feel thankful for it to the beneficent cause, but not that it should subject its desires to that weak and delusive guidance, and meddle incompetently with the purpose of nature. In a word, nature would have taken care that reason should not break forth into *practical use*, nor have the presumption, with its weak insight, to think out for itself the plan of happiness and of the means of attaining it. Nature would not only have taken on herself the choice of the ends but also of the means, and with wise foresight would have entrusted both to instinct.

And, in fact, we find that the more a cultivated reason applies itself with deliberate purpose to the enjoyment of life and happiness, so much more does one fall short of true satisfaction. And from this circumstance there arises in many, if they are candid enough to confess it, a certain degree of *misology*, that is, hatred of reason, especially in the case of those who are most experienced in the use of it, because after calculating all the advantages they derive—I do not say from the invention of all the arts of common luxury, but even from the sciences (which seem to them to be after all only a luxury of the understanding)—they find that they have, in fact, only brought more trouble on their shoulders rather than gained in happiness; and they end by envying rather than despising the more common run of human beings who keep closer to the guidance of mere instinct, and do not allow their reason much influence on their conduct. And this we must admit, that the judgment of those who would very much lower the lofty eulogies of the advantages which reason gives us in regard to the happiness and satisfaction of life, or who would even reduce them below zero, is by no means morose or ungrateful to the goodness with which the world is governed, but that there lies at the root of these judgments the idea that our existence has a different and far worthier end, to which, and not to happiness, is reason's proper vocation, and which must, therefore, be regarded as the supreme condition to which private ends of human beings must, for the most part, defer.

For as reason is not competent to guide the will with certainty in regard to its objects and the satisfaction of all our needs (which it to some extent even multiplies), this being an end to which an implanted instinct would have led with much greater certainty; and since, nevertheless, reason is imparted to us as a practical faculty, that is, as one which is to have influence on the *will*, therefore admitting that nature generally in the distribution of her capacities has adapted the means to the end, its true vocation must be to produce a *will*, not merely good as a *means* to something else, but *good in itself*, for which reason was absolutely necessary. This will then, though not indeed the sole and complete good, must be the supreme good and the condition of every other, even of the desire of happiness. Under these circumstances, there is nothing inconsistent with the wisdom of nature in the fact that the cultivation of reason, which is requisite for the first and unconditioned purpose, does in many ways interfere, at least in this life, with the attainment of the second, which is always conditional—namely, happiness. Indeed, it may even reduce it to nothing, without nature thereby failing of her purpose. For reason recognizes the establishment of a good will as its highest practical vocation, and in attaining this purpose is capable only of a satisfaction of its own proper kind, namely, that from the attainment of an end, which in turn is determined by reason only, notwithstanding that this may involve many a disappointment to the ends of inclination.

We have then to develop the concept of a will which deserves to be highly esteemed for itself, and is good without a view to anything further, a concept which exists already in the sound natural understanding, requiring rather to be clarified than to be taught, and which in estimating the value of our actions always takes the first place and constitutes the condition of all the rest. In order to do this, we will take the concept of duty, which includes that of a good will, although implying certain subjective limitations and hindrances. These, however, far from concealing it or rendering it unrecognizable, rather bring it out by contrast and make it shine forth so much the brighter.

I omit here all actions which are already recognized as contrary to duty, although they may be useful for this or that purpose, for with these the question whether they are done *from duty* cannot arise at all, since they even conflict with it. I also set aside those actions which really conform to duty, but to which men have *no* immediate *inclination*, performing them because they are impelled thereto by some other inclination. For in this case we can readily distinguish whether the action which agrees with duty is done *from duty* or from a selfish purpose. It is much harder to make this distinction when the action accords with duty, and the subject has besides an *immediate* inclination to it. For example, it is always a matter of duty that a dealer should not overcharge an inexperienced purchaser; and wherever there is much commerce the prudent tradesman does not overcharge, but keeps a fixed price for everyone, so that a child buys from him as well as any other. People are thus *honestly* served; but this is not enough to make us believe that the tradesman has so acted from duty and from principles of honesty; his own advantage required it; it is unwarranted in this case to suppose that he might besides have an immediate inclination in favor of the buyers, so that, as it were, from love he should give no advantage to one over another. Accordingly the action was done neither from duty nor from immediate inclination, but merely with a selfish purpose.

On the other hand, it is a duty to preserve one's life; and, in addition, everyone has also an immediate inclination to do so. But on this account the often anxious care which most people take for it has no intrinsic worth, and their maxim[1] has no moral content. They preserve their life *in conformity with duty*, no doubt, but not *from duty*. On the other hand, if adversity and hopeless sorrow have completely taken away the relish for life, if the unfortunate one, strong in mind, indignant to his fate rather than desponding or dejected, wishes for death, and yet preserves his life without loving it—not from inclination or fear, but from duty—then his maxim has moral content.

To be beneficent when one can is a duty; and besides this, there are many minds so sympathetically constituted that, without any other motive of vanity or self-interest, they find a pleasure in spreading joy around them, and can take delight in the satisfaction of others so far as it is their own work. But I maintain that in such a case an action of this kind, however proper, however amiable it may be, has nevertheless no true moral worth, but is on a level with other inclinations, for example, the inclination to honor, which if it is happily directed to that which is in fact of public utility and accordant with duty, and consequently honorable, deserves praise and encouragement, but not esteem. For the maxim lacks the moral content, namely, that such actions be done *from duty*, not from inclination. Put the case that the mind of that philanthropist was clouded by sorrow of his own, extinguishing all sympathy with the lot of others, and that while he still has the power to benefit others in distress, he is not touched by their trouble because he is absorbed with his own; and now suppose that he tears himself out of this dead insensibility and performs the action without any inclination to it, but simply from duty, then for the first time his action has its genuine moral worth. Further still, if nature has put little sympathy in the heart of this or that man, if he, supposed to be an upright man, is by temperament cold and indifferent to the sufferings of others, perhaps because in respect of his own he is provided with the special gifts of patience and fortitude, and supposes, or even requires, that others should have the same—and such a man would certainly not be the meanest product of nature—but if nature had not specially framed him for a philanthropist, would he not still find in himself a source from which to give himself a far higher worth than that of a good-natured temperament could be? Unquestionably. It is just in this that the moral worth of the character is brought out which is incomparably the highest of all, namely, that he is beneficent, not from inclination, but from duty.

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[1] *their maxim* Principle of volition.

To secure one's own happiness is a duty, at least indirectly; for discontent with one's condition, under a pressure of many anxieties and amidst unsatisfied needs, might easily become a great *temptation to transgression of duty*. But here again, without looking to duty, all men have already the strongest and most intimate inclination to happiness, because it is just in this idea that all inclinations are combined in one total. But the precept of happiness is often of such a sort that it greatly interferes with some inclinations, and yet a human being cannot form any definite and certain conception of the sum of satisfaction of all of them which is called happiness. It is not then to be wondered at that a single inclination, definite both as to what it promises and as to the time within which it can be gratified, is often able to overcome such a fluctuating idea, and that a gouty patient,[1] for instance, can choose to enjoy what he likes, and to suffer what he may, since, according to his calculation, on this occasion at least, he has not sacrificed the enjoyment of the present moment to a possibly mistaken expectation of a happiness which is supposed to be found in health. But even in this case, if the general inclination to happiness did not influence his will, and supposing that in his particular case health was not a necessary element in this calculation, there yet remains in this, as in all other cases, this law—namely, that he should promote his happiness not from inclination but from duty, and by this would his conduct first acquire true moral worth.

It is in this manner, undoubtedly, that we are to understand those passages of Scripture also in which we are commanded to love our neighbor, even our enemy. For love, as an inclination, cannot be commanded, but beneficence for duty's sake may, even though we are not impelled to it by any inclination—indeed, are even repelled by a natural and unconquerable aversion. This is *practical* love, and not *pathological*[2]—a love which is seated in the will, and not in the propensities of feeling—in principles of action and not of tender sympathy; and it is this love alone which can be commanded.

The second proposition is: That an action done from duty derives its moral worth, *not from the purpose* which is to be attained by it, but from the maxim by which it is determined, and therefore does not depend on the realization of the object of the action, but merely on the *principle of volition* by which the action has taken place, without regard to any object of desire. It is clear from what precedes that the purposes which we may have in view in our action, or their effects regarded as ends and incentives of the will, cannot give to actions any unconditional or moral worth. In what, then, can their worth lie if it is not to consist in the will in reference to its expected effect? It cannot lie anywhere but in the *principle of the will* without regard to the ends which can be attained by the action. For the will stands between its *a priori* principle, which is formal, and its *a posteriori* incentive, which is material, as between two roads, and as it must be determined by something, it follows that it must be determined by the formal principle of volition when an action is done from duty, in which case every material principle has been withdrawn from it.

The third proposition, which is a consequence of the two preceding, I would express thus: *Duty is the necessity of acting from respect for the law.*[3] I may have *inclination* for an object as the effect of my proposed action, but *never respect* for it, just because it is an effect and not an activity of will. Similarly, I cannot have respect for inclination, whether my own or another's; I can at most, if my own, approve it; if another's, sometimes even love it, that is, look on it as favorable to my own interest. It is only what is connected with my will as a principle, by no means as an effect—what does not serve my inclination, but outweighs it, or at least in case of choice excludes it from its calculation—in other words, simply the law of itself, which can be an object of respect, and hence a command. Now an action done from duty must wholly exclude the influence of inclination, and with it every object of the will, so that nothing remains which can determine the will except objectively the *law*, and subjectively *pure respect* for this practical law, and consequently the maxim that I should follow this law even to the thwarting of all my inclinations.

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[1] *a gouty patient* Gout, an illness involving painful swelling of the joints, can be triggered by alcohol or certain foods.

[2] *pathological* Dependent on sensibility or feeling, rather than reason.

[3] *law* Kant means the moral law—not governmental law.

Thus the moral worth of an action does not lie in the effect expected from it, nor in any principle of action which needs to borrow its motive from this expected effect. For all these effects—agreeableness of one's condition, and even the promotion of the happiness of others—could have been also brought about by other causes, so that for this there would have been no need of the will of a rational being; whereas it is in this alone that the supreme and unconditional good can be found. The pre-eminent good which we call moral can therefore consist in nothing else than *the representation*[1] *of the law* in itself, *which certainly is only possible in a rational being*, insofar as this representation, and not the expected effect, determines the will. This is a good which is already present in the person who acts accordingly, and we need not wait for it to appear first in the result.

But what sort of law can that be, the conception of which must determine the will, even without paying any regard to the effect experienced from it, in order that this will may be called good absolutely and without qualification? As I have deprived the will of every impulse which could arise for it from obedience to any particular law, there remains nothing but the universal conformity of its actions to law in general, which alone is to serve the will as a principle, that is, I am never to act otherwise than so *that I could also will that my maxim should become a universal law*. Here, now, it is the simple lawfulness in general, without assuming any particular law applicable to certain actions, that serves the will as its principle, and must so serve it if duty is not to be a vain delusion and a chimerical notion. The common reason of human beings in its practical judgments perfectly coincides with this, and always has in view the principle here suggested.

Let the question be, for example: May I when in distress make a promise with the intention not to keep it? I readily distinguish here between the two significations which the question may have: whether it is prudent or whether it is right to make such a false promise. The former may undoubtedly often be the case. I see clearly indeed that it is not enough to extricate myself from a present difficulty by means of this subterfuge, but it must be well considered whether there may not hereafter spring from this lie much greater inconvenience than that from which I now seek to free myself, and as, with all my supposed *cunning*, the consequences cannot be so easily foreseen but that credit once lost may be much more injurious to me than any mischief which I seek to avoid at present, it should be considered whether it would not be *more prudent* to act herein according to a universal maxim, and to make it a habit to promise nothing except with the intention of keeping it. But it is soon clear to me that such a maxim will still only be based on the fear of consequences. Now it is a wholly different thing to be truthful from duty than to be so from apprehension of injurious consequences. In the first case, the very notion of the action already implies a law for me; in the second case, I must first look about elsewhere to see what results may be combined with it which would affect myself. For to deviate from the principle of duty is beyond all doubt evil; but to be unfaithful to my maxim of prudence may often be very advantageous to me, although to abide by it is certainly safer. The shortest way, however, and an unerring one, to discover the answer to this question whether a lying promise is consistent with duty, is to ask myself: Would I be content that my maxim (to extricate myself from difficulty by a false promise) should hold as a universal law, for myself as well as for others? And would I be able to say to myself, "Everyone may make a deceitful promise when he finds himself in a difficulty from which he cannot otherwise extricate himself"? Then I presently become aware that, while I can will the lie, I can by no means will that lying become a universal law. For with such a law there would be no promises at all, since it would be in vain to profess my intention in regard to my future actions to those who would not believe this profession, or if they over-hastily did so, would pay me back in my own coin. Hence my maxim, as soon as it should be made a universal law, would necessarily destroy itself.

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[1] *representation* Mental representation.

I do not, therefore, need any far-reaching penetration to discern what I have to do in order that my volition may be morally good. Inexperienced in the course of the world, incapable of being prepared for all its contingencies, I only ask myself: Can you also will that your maxim should be a universal law? If not, then it must be rejected, and that not because of a disadvantage accruing from it to myself or even to others, but because it cannot enter as a principle into a possible universal legislation, and reason extorts from me immediate respect for such legislation. I do not indeed as yet *discern* on what this respect is based (this the philosopher may inquire), but at least I understand this—that it is an estimation of the worth which far outweighs all worth of what is recommended by inclination, and that the necessity of acting from *pure* respect for the practical law is what constitutes duty, to which every other motive must give place because it is the condition of a will that is good *in itself*, and the worth of such a will is above everything.

Thus, then, without quitting the moral cognition of common human reason, we have arrived at its principle. And although, no doubt, common human reason does not conceive it in such an abstract and universal form, yet it really always has it before its eyes and uses it as the standard of judgment. Here it would be easy to show how, with this compass in hand, common human reason is well able to distinguish, in every case that occurs, what is good, what evil, conformable to duty or inconsistent with it, if, without in the least teaching it anything new, we only, like Socrates, direct its attention to the principle it itself employs; and that, therefore, we do not need science and philosophy to know what we should do to be honest and good, yes, even to be wise and virtuous. Indeed we might well have conjectured beforehand that the acquaintance with what every human being is obligated to do, and therefore also to know, would be within the reach of every human being, even the commonest. Here we cannot withhold admiration when we see how great an advantage practical judgment has over the theoretical in the common human understanding. In the latter, if common reason ventures to depart from the laws of experience and from the perceptions of the senses, it falls into mere inconceivabilities and self-contradictions, at least into a chaos of uncertainty, obscurity, and instability. But in the practical sphere it is just when the common understanding excludes all sensible incentives from practical laws that its power of judgment begins to show itself to advantage. It then becomes even subtle, whether it be that it quibbles with its own conscience or with other claims regarding what is to be called right, or whether it desires for its own instruction to determine honestly the worth of its actions; and, in the latter case, it may even have as good a hope of hitting the mark as any philosopher whatever can promise himself. Indeed it is almost more sure of doing so, because the philosopher cannot have any other principle, while he may easily perplex his judgment by a multitude of considerations foreign to the matter, and so turn aside from the right way. Would it not therefore be wiser in moral concerns to acquiesce in the judgment of common reason, or at most only to call in philosophy for the purpose of rendering the system of morals more complete and intelligible, and its rules more convenient for use (especially disputation), but not so as to draw off the common understanding from its happy simplicity, or bring it by means of philosophy into a new path of inquiry and instruction? Innocence is indeed a glorious thing; but, on the other hand, it is very sad that it cannot well maintain itself, and is easily seduced. On this account even wisdom—which otherwise consists more in conduct than in knowledge—still has need of science, not in order to learn from it, but to secure for its precepts admission and permanence. Against all the commands of duty which reason represents to the human being as so deserving of respect, he feels in himself a powerful counterweight in his needs and inclinations, the entire satisfaction of which he sums up under the name of happiness. Now reason issues commands unyieldingly, without promising anything to the inclinations, and, as it were, with disregard and contempt for these claims, which are so impetuous and at the same time so plausible, and which will not allow themselves to be suppressed by any command.

Hence there arises a *natural dialectic*,[1] that is, a disposition to argue against these strict laws of duty and to question their validity, or at least their purity and strictness; and if possible, to make them more compatible with our wishes and inclinations, that is to say, to corrupt them at their very source and entirely destroy their worth—a thing which even common practical reason cannot ultimately approve.

Thus is the *common human reason* compelled to go out of its sphere and to take a step into the field of *practical philosophy*, not to satisfy any speculative need (which never occurs to it as long as it is content to be mere sound reason), but rather on practical grounds, in order to attain in it information and clear instruction respecting the source of its principle, and the correct determination of it in opposition to the maxims which are based on wants and inclinations, so that it may escape from the perplexity of opposite claims, and not run the risk of losing all genuine moral principles through the equivocation[1] into which it easily falls. Thus, when practical reason cultivates itself, there insensibly arises in it a dialectic which forces it to seek aid in philosophy, just as happens to it in its theoretical use; and in this case, therefore, as well as in the other, it will find rest nowhere but in a thorough critical examination of our reason.

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[1] *dialectic* Tension or debate between two conflicting or contradictory ideas or approaches.

from *Second Section: Transition from Popular Moral Philosophy to the Metaphysics of Morals*

[...]

Everything in nature works according to laws. Rational beings alone have the capacity to act *in accordance with the representation* of laws—that is, according to principles, that is, have a *will.* Since the deduction of actions from principles requires *reason*, the will is nothing but practical reason. If reason infallibly determines the will, then the actions of such a being which are recognized as objectively necessary are subjectively necessary also, that is, the will is a capacity to choose *that only* which reason independent of inclination recognizes as practically necessary, that is, as good. But if reason of itself does not sufficiently determine the will, if the latter is subject also to subjective conditions (particular incentives) which do not always coincide with the objective conditions, in a word, if the will does not *in itself* completely accord with reason (which is actually the case with human beings), then the actions which objectively are recognized as necessary are subjectively contingent, and the determination of such a will according to objective laws is *necessitation*, that is to say, the relation of the objective laws to a will that is not thoroughly good is conceived as the determination of the will of a rational being by principles of reason, but which the will from its nature does not necessarily follow.

The conception of an objective principle, in so far as it is obligatory for a will, is called a command (of reason), and the formula of the command is called an imperative.

All imperatives are expressed through an *ought*, and thereby indicate the relation of an objective law of reason to a will which from its subjective constitution is not necessarily determined by it (a necessitation). They say that something would be good to do or to forbear, but they say it to a will which does not always do a thing because it is represented to be good to do it. That is *practically good*, however, which determines the will by means of the representations of reason, and consequently not from subjective causes, but objectively, that is, on principles which are valid for every rational being as such. It is distinguished from the agreeable as that which influences the will only by means of feeling from merely subjective causes, valid only for the senses of this or that one, and not as a principle of reason which holds for everyone.

A perfectly good will would therefore be equally subject to objective laws (viz. laws of good), but could not be conceived as *necessitated* thereby to act lawfully, because of itself from its subjective constitution it can only be determined by the conception of good. Therefore no imperatives hold for the Divine will, or in general for a *holy* will; *ought* is here out of place because the volition is already of itself necessarily in unison with the law. Therefore imperatives are only formulae to express the relation of objective laws of all volition to the subjective imperfection of the will of this or that rational being, for example, a human will.

Now all imperatives command either *hypothetically* or *categorically*. The former represent the practical necessity of a possible action as means to something else that is willed (or at least which one might possibly will).The categorical imperative would be that which represented an action as necessary of itself without reference to another end, that is, as objectively necessary.

Since every practical law represents a possible action as good, and on this account, for a subject who is practically determinable by reason, as necessary, all imperatives are formulae determining an action which is necessary according to the principle of a will good in some respects. If now the action is good only as a means *to something else*, then the imperative is *hypothetical*; if it is conceived as good *in itself* and consequently as being necessarily the principle of a will which of itself conforms to reason, then it is *categorical.*

[...]

Finally, there is an imperative which commands a certain conduct immediately, without having as its condition any other purpose to be attained by it. This imperative is categorical. It concerns not the matter of the action, or its intended result, but its form and the principle of which it is itself a result; and what is essentially good in it consists in the mental disposition, let the consequence be what it may. This imperative may be called that of morality.

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[1] *equivocation* In this case, the ambiguity about "ought"—which may be read morally or prudentially.

[...]

If then there is a supreme practical principle or, with respect to the human will, a categorical imperative, it must be one which, being drawn from the conception of that which is necessarily an end for everyone because it is *an end in itself*, constitutes an *objective* principle of will, and can therefore serve as a universal practical law. The foundation of this principle is: *rational nature exists as an end in itself.* The human being necessarily conceives of his own existence as being so; so far then this is a *subjective* principle of human actions. But every other rational being regards its existence similarly, just on the same rational principle that holds for me; so that it is at the same time an objective principle from which as a supreme practical law all laws of the will must be capable of being deduced. Accordingly the practical imperative will be as follows: *So act as to treat humanity, whether in your own person or in that of any other, in every case at the same time as an end, never as a means only.* We will now inquire whether this can be practically carried out.

To abide by the previous examples: *First,* under the head of necessary duty to oneself: Someone who contemplates suicide should ask himself whether his action can be consistent with the idea of humanity *as an end in itself.* If he destroys himself in order to escape from painful circumstances, he uses a person merely as a *means* to maintain a tolerable condition up to the end of life. But a human being is not a thing, that is to say, something which can be used merely as a means, but must in all his actions be always considered as an end in itself. I cannot, therefore, dispose in any way of a human being in my own person by mutilating, damaging, or killing him. (It belongs to morals proper to define this principle more precisely, so as to avoid all misunderstanding, for example, as to the amputation of the limbs in order to preserve myself; as to exposing my life to danger with a view to preserve it, etc. This question is therefore omitted here.)

Second, as regards necessary duties, or those of strict obligation, towards others: He who is thinking of making a lying promise to others will see at once that he would be using another human being *merely as a means,* without the latter at the same time containing in himself the end. For he whom I propose by such a promise to use for my own purposes cannot possibly assent to my mode of acting toward him, and therefore cannot himself contain the end of this action.[1] This violation of the principle of humanity in other human beings is more obvious if we take in examples of attacks on the freedom and property of others. For then it is clear that he who transgresses the rights of human beings intends to use the person of others merely as means, without considering that as rational beings they ought always to be esteemed also as ends, that is, as beings who must be capable of containing in themselves the end of the very same action.

Third, as regards contingent (meritorious) duties to oneself: It is not enough that the action does not violate humanity in our own person as an end in itself, it must also *harmonize with* it. Now there are in humanity capacities of greater perfection which belong to the end that nature has in view with regard to humanity in ourselves as the subject; to neglect these might perhaps be consistent with the *maintenance* of humanity as an end in itself, but not with the *advancement* of this end.

Fourth, as regards meritorious duties toward others: The natural end which all human beings have is their own happiness. Now humanity might indeed subsist although no one should contribute anything to the happiness of others, provided he did not intentionally withdraw anything from it; but after all, this would only harmonize negatively, not positively, with *humanity as an end in itself,* if everyone does not also endeavor, as far as he can, to forward the ends of others. For the ends of any subject which is an end in itself ought as far as possible to be *my* ends also, if that conception is to have its *full* effect in me.

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[1] *cannot himself contain the end of this action* In other words, the aim of my action (to deceive him with a lying promise) is not *his* aim.

On Perpetual Peace: A Philosophical Sketch (1795)[1]

Perpetual Peace

We do not need to determine whether the satirical phrase *Perpetual Peace* inscribed above the painting of a graveyard on a Dutch innkeeper's sign is directed at human beings[2] in general, or at rulers of states in particular, who never can have enough of war, or perhaps merely at philosophers who dream the sweet dream of peace. However, the author of this essay would like to stipulate one point: the practical politician adopts a particular stance towards the political theorist—he looks down on him with great self-satisfaction as a pedant, whose empty ideas pose no danger to the state, which must proceed on principles drawn from experience. And so people can always let the theorist play at knocking down his eleven skittles[3] all at once, without the worldly wise statesman concerning himself about it. This being the case, if a quarrel between the theorist and the statesman arises, the latter should always act consistently and not sniff out dangers to the state behind the former's opinions, which he ventures to offer and which he expresses publicly with no ulterior purpose. With this *clausula salvatoria* [saving clause] the writer of this tract wishes formally and emphatically to acknowledge that he is protected against all malicious interpretation.

Section One: Containing the Preliminary Articles for a Perpetual Peace among States

1. *No peace treaty that is drawn up with a secret reservation of some matter for a future war will be considered valid.*

For in such a case the treaty would, in fact, be merely a truce, a suspension of conflict, but not peace, which means an end to all hostilities, so that to attach that word "perpetual" to it is a suspicious pleonasm.[4] The existing causes of future wars may at the time of the treaty perhaps not yet be known even to the contracting parties, but every one of those causes becomes null and void through the treaty of peace, even if perspicacious and skilful research could dig them up out of archival documents. Silent reservations (*reservatio mentalis* [mental reservation]) concerning old claims to be considered at some time in the future, issues that neither party brings into the discussion at this time, because they are both too worn out to continue the war, while still nurturing the evil desire to use the first favourable opportunity to pursue these claims—that tactic belongs to Jesuitical casuistry[5] and, judged in and of itself, is beneath the dignity of rulers, just as a willing participation in this kind of thinking is beneath the dignity of one of their ministers.

But if, given enlightened ideas about shrewd statesmanship, the true glory of the state rests on the constant increase in its power by any means whatsoever, this conclusion will naturally appear academic and pedantic.

2. *No state standing on its own (whether it is small or large is irrelevant here) can be acquired by another state through inheritance, exchange, purchase, or donation.*

For a state, unlike the soil on which it sits, is not a possession (*patrimonium*) but a society of people, which no one other than itself may command or dispose of. It is like a tree trunk with its own roots, and to incorporate it, like a graft, onto another state means that one is destroying its existence as a moral person and reducing it to a thing. This, therefore, contradicts the idea of the original contract, without which no right over a people is conceivable.[6] Everybody understands what dangers this prejudiced way of acquiring states, which stems from the belief that nations could even marry one another, has brought to Europe right up to our own day

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[1] Phrases in square brackets within the text, plus editorial comments, have been added by the translator, Ian Johnston.

[2] In the following text, *Mensch* has been translated as *humankind*, and *Menschen* as *human beings*, rather than as *man* or *men* or *mankind*.

[3] *skittles* Wooden pins, which players of the game of skittles try to bowl down with wooden balls or disks.

[4] *pleonasm* Expression that uses more words than are necessary to convey the sense.

[5] *Jesuitical casuistry* Deliberately evasive reasoning about what one ought to do. The Jesuits, an order of the Roman Catholic Church, were disparagingly associated with such dissembling in their discussions concerning matters of conscience.

[6] *This, therefore … conceivable* [Kant's note] A hereditary kingdom is not a state that can be bequeathed to some other state. However, the right to rule it can be passed on to another physical person. In that case, the state acquires a regent, but the latter, in his capacity as ruler (that is, as someone already in possession of another kingdom), does not acquire the state.

(other regions of the world know nothing about it). This has been, in part, a new kind of industry enabling states to make themselves powerful through family alliances without squandering their forces and, in part, a way of expanding the territory they possess.

Moreover, lending the soldiers of one state to another for money to fight against an enemy who is not hostile to the first state should be included here, for the subjects of that state are, in this case, used and abused as if they were things for the state to deal with however it wishes.

3. *Over time standing armies (miles perpetuus) shall be completely abolished.*

For standing armies constantly threaten other states with war, because their preparedness makes them look as if they are always equipped for one, and they encourage nations to compete with one another in the number of their armed forces, a contest that has no limit. Moreover, given the amount of money spent on standing armies, in the long run peace becomes even more oppressive than a short war, and thus standing armies are themselves the cause of aggressive conflicts launched to ease this financial burden. In addition, paying men to kill or be killed seems to involve using human beings as mere machines and tools in the hands of someone else (the state), and this practice cannot be properly reconciled with the rights of humanity in our own person. The situation is entirely different with the periodic and voluntary exercises of citizens under arms, for in this way they keep themselves and their fatherland safe against attacks from beyond their borders.

If the state accumulates a large sum of money, that would have the same effect as a standing army, because it is viewed by other states as a military threat and would force them to make a preemptive attack. For of the three powers of the state—the power of *armies*, the power of *alliances*, and the power of *money*—the third would probably be the most reliable instrument of war, if the difficulty of discovering how much money was involved did not stand in the way.

4. *No national debts shall be incurred in connection with the foreign affairs of the state.*

When the intention is to help the domestic economy (improve roads, create new settlements, establish stores of resources for difficult years of crop failure, and so on), then the expedient of seeking aid outside or inside the state is above suspicion. But when a system of credit is used as an instrument of power by states against each other and grows out of sight, yet remains a secure debt for present demands (because all the creditors do not demand payment at the same moment), it becomes a dangerous financial power. For this ingenious invention of a commercial people [England] in this present century creates a treasure for carrying out war, a fund that is greater than the financial resources of all other states collectively. It cannot be exhausted except by an impending tax default (although that will still be postponed for a long time because of the trade stimulus created by the repercussions of the credit on industry and commerce). This easy way of engaging in war, combined with the inclination of rulers to do so, something that seems to be incorporated into human nature, is consequently a great obstacle to perpetual peace. Hence, forbidding this use of credit must be a preliminary article of such a peace, all the more so because bankrupting the state, which is eventually inevitable, must involve many other states in the loss, through no fault of their own, and publicly harm them. That being the case, these other nations are justified at least in forming alliances among themselves against such a state and its arrogant ways.

5. *No state shall use force to involve itself in the constitution and government of another state.*

For what can justify such an action? Perhaps the offense that one state gives to the subjects of another? But the example of the great evil that people have brought on themselves because of their lawlessness can serve instead as a warning. And generally the bad example that one free person gives to another (as a *scandalum acceptum* [received scandal]) is no injury to the latter.[1] But the case is different if inner dissension splits a state into two parts, each of which represents itself as a separate state claiming the whole. For an external state to provide assistance to one of these parts could not be considered interference in the constitution of the other state (for at the time it is in a condition of anarchy). However, as long as this inner conflict has not yet reached this stage, such interference by external powers would be an abuse of the rights of an independent people merely struggling with its own internal sickness and would thus itself, in fact, constitute an offence and make the autonomy of all states insecure.

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[1] *Scandalum acceptum* A Latin term from Catholic theology. *Scandalum* (scandal) refers to an evil act (or failure to act) that leads to someone else's spiritual ruin. A *scandalum acceptum* (received scandal) is a term for an action that is perceived as scandalous thanks to the ignorance or weakness of the person judging it (when, in fact, the person carrying out the action may have behaved quite morally according to his or her own standards).

6. *No state at war with another shall permit acts of hostility that would necessarily make mutual trust in a future peace impossible. Such acts include using assassins (percussores) and poisoners (venefici), breaching the terms of surrender, inciting treason (perduellio) in the enemy state, and so on.*

These are dishonourable stratagems. For even in the middle of a war there must be some trust in the way the enemy thinks, because otherwise no peace could be concluded, and the hostilities would turn into a war of extermination (*bellum internecinum*). But war is merely the miserable expedient of asserting one's rights by force in a state of nature, where there is no tribunal which could use the power of law to render judgment. In war neither of the two parties can be declared an unjust enemy, because that would presuppose that a judicial sentence had already been made. However, the outcome of the conflict (as in a so-called judgment of God) determines which side is in the right. But between states a punitive war (*bellum punitiuum*) is inconceivable, because with them there is no relationship of superiors and inferiors. Thus, it follows that a war of extermination in which the annihilation extended to both sides and which could, in the process, strike at all rights, would allow perpetual peace to occur only over the vast graveyard of the human race. Hence, such a war, along with the use of those methods that lead to it, must be absolutely forbidden. What makes it clear that the above-mentioned methods invariably lead there is the fact that once these hellish and inherently despicable arts are employed, they do not long confine themselves within the limits of war, as we see from the use of spies (*uti exploratoribus*), a practice in which people take advantage of the dishonesty of others (which can never be eliminated once and for all). These arts are then carried over even into a condition of peace. In this way, the goal of peace is totally destroyed.

* * *

Although the laws listed above are *objectively* (that is, as far as the intention of the rulers is concerned) merely *prohibitive laws* (*leges prohibitivae*), nevertheless, some of them are of the *strict* kind, which are valid in all circumstances (*leges strictae*) and which demand the immediate abolition of something (for example, Numbers 1, 5, and 6). Others, however, (such as Numbers 2, 3, and 4), which are not exceptions to the rule of law, nevertheless, with respect their application, are *subjectively* broader (*leges latae*). They take circumstances into account and entail permission to postpone their application, provided one does not, however, lose sight of their purpose. For example, in the case of Number 2, this principle does not mean that one is permitted to delay until doomsday (or as Augustus[1] used to promise, *ad calendas graecas* [to the Greek calends])[2] reinstituting the freedom of certain states that have been deprived of it, so that their liberty would never be restored, but only that a postponement is permitted so that one is not overhasty and thus acting in such a way as to counter the very purpose of the law. For the prohibition here concerns only the *manner of acquisition*, which is no longer valid. It does not refer to the *state of possession*, which, although it does not have the requisite title of *right*, nonetheless has been considered lawful by public opinion in all states at the time of the putative acquisition.[3]

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[1] *Augustus* The first Roman emperor (63 BCE–14 CE).

[2] *calends* The first day of the month in the Roman calendar; the Greeks had no *calends*. Hence, postponing an action *ad calendas graecas* means never doing it.

[3] *It does not … acquisition* [Kant's note] The question whether, in addition to *commands* (*leges praeceptivae*) and *prohibitions* (*leges prohibitivae*) there could also be *permissive laws* (*leges permissivae*) of pure reason has up to this point been doubted, and not without reason. For laws in general contain a principle of objective practical necessity, but permission contains a principle of the contingency of certain actions in practice. Hence, a *permissive law* would involve the necessity for an action which no one could be compelled to carry out, and that would be a contradiction, if the object of the law in both examples had one and the same meaning. However, in this case with the permissive law, the presumed prohibition concerns only the future method of acquiring a right (for example, through inheritance), but the freedom from this prohibition, in other words, the permission, concerns the present state of possession, which, although it is illegal, can continue to endure even longer in the transition from a state of nature into civil society, as *honourable ownership* (*possessio putativa*), in keeping with permissive laws of natural right, even though a putative possession is forbidden in a state of nature, as soon as it is recognized for what it is, and a similar method of acquiring possession in the civil state that emerges (after the transition has occurred) is also prohibited. This privilege [Befugnis] of continuing ownership would not occur if the alleged possession had taken place in civil

Second Section: Which Contains the Definitive Articles for a Perpetual Peace among States

The condition of peace among human beings who live beside each other is not a natural situation (*status naturalis*), for the natural state is rather a condition of war. In other words, although there is not always an outbreak of hostilities, nevertheless there is a constant threat that this will occur. The state of peace must therefore be *established*, for the cessation of hostilities is not yet a guarantee of peace, and unless such a guarantee is given by each group to its neighbour (which can only happen under conditions *governed by law*) one party, who has been demanding such a guarantee, can treat the other as an enemy.[1]

The First Definitive Article for Perpetual Peace: The Civil Constitution in Each State Shall be Republican

The *republican* constitution is founded, firstly, in accordance with the principles of the *freedom* of the members of a society (as *human beings*), secondly, in accordance with

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society, for then it would be a violation of someone's rights, which would have to end as soon as its illegality was discovered.

Here I have wanted, merely in passing, to draw the attention of teachers of natural law to the idea of a *lex permissiva* [permissive law], which manifests itself in a systematic classification of reason, particularly because it is often used in civil law (involving statutes), but with this difference: the prohibiting law stands alone by itself, while permission is not brought into it as a limiting condition (as it ought to be). Instead it is thrown in among the exceptions. So the law then says: This or that is forbidden, *except* Number 1, Number 2, Number 3, and so on in an endless series. The exceptions are added to the law only haphazardly, not according to some principle, but by groping around among cases as they come up. Otherwise the conditions would have to have been incorporated *into the formulation of the prohibitive law*, and that would have immediately made it a permissive law. Thus, it is unfortunate that the subtle question posed in a prize-winning essay by *Count von Windischgrätz*, a man as wise as he is acute, has remained unanswered and has been quickly abandoned, since it emphasized the very point I mention. For the possibility of such a formulation (similar to those in mathematics) is the only real touchstone for a piece of legislation which would remain consistent. Without that, the so-called *ius certum* [certain law] will remain a pious wish, and we can have merely *general* laws (which are valid *for the most part*) but no universal laws (which are valid *in every case*), something that the idea of law seems to require. [Count von Windischgrätz (1744–1802) had posed a question about writing unambiguous land contracts. Kant's point here is that, while the six preliminary articles for peace must all be firm laws, some of them would not be immediately binding. For example, if Nation A conquers Nation B and seizes some of Nation B's land, then Nation A's possession is, strictly speaking, illegal, but it can continue as *honourable ownership*, after war has concluded, even though any further seizures of land would be unjust. Over time, however, Nation A should restore the liberty of the land it has appropriated (but it should not do that too quickly if such restoration would disturb the peaceful arrangements following the war).]

[1] *The state of peace ... enemy* [Kant's note] It is commonly assumed that someone may not act in a hostile manner against any other person, unless the latter has already done something *to* harm him first. This is entirely correct when both of them are living in a *civil community governed by law*. For, since each of them has entered this community, each affords the other the security he requires (thanks to the authority that has power over them both). But a human being (or a people) in a mere state of nature removes from me this security and simply by living in this state inflicts harm on me because he is close by. This harm may not be active (*facto*), but, given the lawlessness of his condition (*statu iniustu* [a state of injustice]), he is a constant threat to me. I can require him either to enter with me into the state of a community ruled by law or to move away from my neighbourhood. So the hypothesis that forms the basis of all the following articles is this: *All people who can exercise a reciprocal influence on each other must share some form of civil constitution.*

Depending on the people who are covered by its provisions, a legal constitution is one of the following:
one formed in accordance with the *rights of citizenship* of the individuals making up a people (*ius civitatis*);
one formed in accordance with *international law* for states in relation to one another (*ius gentium*);
one formed in accordance with *cosmopolitan law*, insofar as individuals and states standing in an external relationship of reciprocal influence are to be viewed as citizens in a universal human state (*ius cosmopoliticum*).

These divisions are not arbitrary, but are necessarily related to the idea of perpetual peace. For if even one of these elements in society was in a position to exercise physical influence on another and yet was still in a state of nature, then a condition of war would be joined, the very situation from which our purpose here is to free ourselves. [These three constitutions (which confer legal rights) affect individuals because they are members of a particular state and thus have *civil rights*, because they are citizens of a state that has forged international agreements with other states and thus have *international rights*, and because they are all human beings and thus have *human rights*. In a state of nature, where there is no constitution, as free and equal people, we still have *private rights*, but it is not clear in Kant (here and elsewhere) what these amount to exactly. Since there is no constitution in a state of nature, there is no law and hence no authority to guarantee or enforce such private rights.]

the principles of the *dependence* of all of its members on a single common system of laws (as *subjects*), and, thirdly, in accordance with the law of *equality* of its members (*as citizens*). Hence, this form of constitution is the only one that emerges from the idea of the original contract, upon which all legitimate legislation of a people must be based.[1] Where the issue of rights is concerned, this is also the constitution that inherently and originally lies at the foundation of every form of civil constitution. So now the only question is this: Is it also the only constitution that can lead to perpetual peace?

Now, apart from the integrity of its origin—for it sprang up from the pure source of the concept of right—the republican constitution also promises to obtain the desired result, namely, perpetual peace. The reason is as follows: If (as must be the case with a constitution like this) the consent of the subjects is required in order to resolve the question whether there should be a war or not, nothing is more natural than for them to consider very carefully whether they should launch such a dreadful gamble. For they would inevitably be deciding whether to bring upon themselves all the horrors of war (these would include the following: having to fight battles themselves, paying for the costs of the war out of their own goods, making wretched attempts to repair the devastation that war leaves in its wake, and finally, to crown their misery, assuming a burden of debt that will make even peace itself something bitter and that will never be paid off, because new wars will always be an imminent threat). By contrast, in a constitution where the subject is not a fellow citizen, that is, a state that is not republican, deciding to launch a war is the most trifling concern in the world, because the ruling power is not a civil comrade but the owner of the state. With his fine table, his hunting, his pleasure palaces, his court holidays, and so on, he does not suffer in the least from the war, and thus he can make the decision to fight for petty reasons, as if it were a sort of pleasant outing, and without worrying about a justification for going to war in order to look respectable. He can leave that unimportant matter to the diplomatic corps, which is always prepared to assist with such things.

* * *

So that people do not confuse a republican constitution with a democratic one (as commonly happens), it is necessary to make the following remarks. The forms of the state (*civitas*) can be distinguished either by the difference between the people who possess the highest power in the state or by the way the people are governed by the ruling power, whatever it may be. The first is properly called *the form of the sovereignty* (*forma imperii*), and it has only three possible options, depending on whether *one person*, or *several people working in combination*, or *all the people* who collectively make up the civil society possess the ruling power (in other words, an *Autocracy*, where a monarch has the power, an *Aristocracy*, where the nobles have the power, or a *Democracy*, where the people have the power). The second way of distinguishing the form of the state is by *the form of the government* (*forma regiminis*). This involves the way the state makes use of its supreme power, an arrangement based on the constitution (the act of the general will by which a crowd of people becomes a nation). From this point of view, the form of government is either *republican* or *despotic*. *Republicanism* rests on the political principle of separating the executive power (the government) from the legislative power. Despotism is the form in which the state arbitrarily executes laws that it has given itself. Thus, it will carry out the public will to the extent that this is the same as the private will of the ruler. Of these three forms of the state, *democracy* is, in the proper sense of the word, necessarily *despotism*, because it establishes an executive power in which everyone makes decisions for and, if necessary, against any individual who does not agree with them. Therefore, all the people who decide are not really all the people, a situation in which the general will contradicts itself and the principle of freedom.

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[1] *this form of constitution … based* [Kant's note] *Lawful* (hence external) *freedom* cannot be defined, as people so often do, as the right "to do anything one wishes, provided one's actions do not injure anyone else." For what does this *right* mean? The possibility of an action so long as in carrying it out one does not injure another. So the explanation for the authority would be "a person does not wrong someone else (no matter what he does) if he does not wrong someone else"—and thus is an empty tautology. Rather than that, the explanation for my external (lawful) freedom is as follows: it is the right to obey no external laws, other than those to which I could have given my consent. In just the same way, external (legal) *equality* in a state is that relationship among the citizens according to which no person can legally bind another, unless at the same time he submits himself to the law by which he, in turn, *could* be bound in the same way by the other person. (The principle of *lawful* dependence requires no clarification, for it is already present in the general idea of a political constitution.) The validity of these inherited and inalienable rights, which necessarily belong to humankind, is confirmed and ennobled by the principle of the lawful relationship between human beings themselves and higher beings (when they believe in them), because, in keeping with these very principles, they see themselves also as citizens of a supernatural world. For where my freedom is concerned, I have no binding obligation even with respect to divine laws, which I can recognize only with my reason, except insofar as I myself could have consented to them (for through the law of freedom of my own reason I first create for myself an idea of the Divine Will). Where the principle of *equality* is concerned in connection with the most exalted being in the world other than God, a presence I could perhaps picture for myself (say, a great *Aeon* [Eternal Power]), there is no reason why, if I carry out the duties of my position, as Aeon carries out his, I should be the only one with the obligation to obey and he should be the one with the right to command. This principle of *equality* (like that of *freedom*) does not extend to our relationship with God, because this Being is the only one to whom the idea of duty does not belong.

However, where the right to equality of all citizens as subjects is concerned, the answer to the question about the admissibility of a *hereditary aristocracy* depends solely on the following question: "Does the *rank* endorsed by the state (which makes one subject superior to another) take precedence over *merit*, or does merit have to take precedence over rank?" Now, this much is clear: when rank is tied in with birth, it is completely uncertain whether merit (skill and integrity in discharging one's office) will follow as well. Thus, a hereditary aristocracy amounts to awarding the favoured person a position (making him a commander) without his having any merit. This arrangement is something the general will of the people would never agree to in the original contract (which is the principle of all right). For the fact that someone is a nobleman does not immediately make him a *noble* man. So far as the *nobility of an official* is concerned (a term we might use to describe the rank of a higher magistrate, which someone must earn by merit), the rank is not attached to the person, like a possession, but to the position, and equality is not harmed by this, because when someone gives up his official position, he also sets aside his rank and moves back among the people.

In fact, every form of government that is not *representative* is really *no form at all*, because no lawgiver can be, in one and the same person, also the one who carries out his own will (any more than the general major principle in a syllogism[1] can be at the same time the subsumption of the particular under that principle in the minor premise). Although the other two state constitutions [autocracy and aristocracy] are always defective, insofar as they leave room for such a form of non-representative government, nonetheless, with them it is at least possible that they come close to the *spirit* of a representative system in the way they shape the government. Thus, Frederick II[2] at least *used to remark* that he was merely the highest servant of the state.[3] The democratic form, by contrast, makes that impossible, because in it everyone wishes to be master.

One can therefore say the following: the smaller the number of people holding state power (i.e., the number of rulers) and, on the other hand, the greater the number of people they represent, the more the state's constitution agrees with the possibility of republicanism, and they can hope with gradual reforms eventually to raise themselves to that level. For this reason, reaching this single perfectly legitimate constitution is more difficult with an aristocracy than with a monarchy, and with a democracy it is impossible, except through a powerful revolution.

However, for a nation the form of government is incomparably more important than the form of the constitution (although a great deal depends on how much or how little the constitution is appropriate to the goals of government).[4] But if the form of government is to conform to the concept of right, it must incorporate the representative system—the only form in which a republican style of ruling is possible and without which (no matter what the constitution) the government is autocratic and violent. None of the older so-called republics understood this, and for that reason they inevitably dissolved into an absolute despotism, which, of all despotisms, is most easily endured under the sovereignty of a single individual.

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[1] *syllogism* An exercise in reason in which a conclusion is drawn from two premises: one major and one minor. In a true and valid syllogism, the major premise is a general proposition under which the minor premise falls, as in this example: The reproduction of all birds involves laying eggs; penguins are birds; conclusion, penguins' reproduction involves laying eggs. Penguins belong to the class "bird"; what is true of the class must also be true of any member of that class.

[2] *Frederick II* Frederick the Great (1712–86), King of Prussia, the eastern German state where Kant lived.

[3] *Thus … servant of the state* [Kant's note] People have often criticized the lofty titles that are frequently given to a ruler (e.g., the Lord's Anointed, the Representative of the Divine Will on Earth, and the Vicar of God) as gross, dizzying flattery. But, in my view, this criticism has no foundation. Far from making a sovereign arrogant, these titles must rather make his soul humble, if he has any common sense (which we must assume he has), for they remind him that he has undertaken an office that is too great for any human being, that is, the holiest which God has on earth, the *right to rule humankind*, and he constantly has to worry about offending this apple of God's eye in some way or other.

[4] *for a nation … government* [Kant's note] In his brilliant sounding but hollow and superficial language, Mallet du Pan brags that after many years of experience he has finally become convinced of the truth of Alexander Pope's famous saying: "For Forms of Government let fools contest; / Whate'er is best administered is best." If that amounts to saying that the best-administered government is the one that is best administered, then Pope has, to use Swift's expression, bitten open a nut and been rewarded with a maggot. But if it means that the best-administered government is also the best form of government, i.e., the best constitution, then it is completely false. For examples of good leadership prove nothing about the form of government. Who has governed better than *Titus* and *Marcus Aurelius*, and yet one left *Domitian* as his successor and the other *Commodus*? That could not have happened with a good political constitution, for the fact that they were unfit for this position was known sufficiently early, and the ruler was powerful enough to prevent their succession. [Jacques Mallet du

Second Definitive Article of Perpetual Peace: The Law of Nations Shall Be Based on a *Federation* of Free States

Nations, as states, could be judged like human individuals who, in their state of nature (i.e., in their independence from external laws) inflict injuries on each other by the very fact that they live in close proximity to each other. Every nation can and should, for the sake of its own security, demand from the others that they should combine with it under a constitution similar to one in a civil state, in which each of them can have its rights protected. This would be an *alliance of nations*. However, it would not have to consist of a single state made up of these nations, for that would create a contradiction, since every state involves a relationship between *those above* (the ones who make the laws) and *those below* (the ones who obey, namely, the people), and many nations in a single state would amount to only a single nation, a situation which contradicts what we are assuming (for here we have to take into account the *right of nations* with respect to each other, to the extent that they exist as so many separate nations and are not to be fused into a single state).

We look with profound contempt on the attachment of savages to their lawless freedom, on the way they would rather fight each other constantly than subject themselves to the restraint of laws that they themselves establish, and thus on their preference for a wild freedom over a rational one, and we consider them a crude, uncivilized, and brutal degradation of humanity. Thus, one would think that civilized peoples (each one united in its own state) would hurry to come out of such a depraved condition as soon as possible. But instead of this each state considers its majesty (the majesty of a people is a meaningless expression) arises directly from its not being subject to any external legal compulsion, and the glory of its ruler stems from the fact that without his even having to place himself in any danger, many thousands stand at his command prepared to be sacrificed for some cause that is of no concern to them.[1] The difference between the European savages and those in America consists for the most part in the fact that, while many American tribes have been totally devoured by their enemies, those in Europe know a better way of using the people they have conquered than making a meal of them: they prefer to have them increase the number of their subjects and thus the quantity of instruments for still more wide-ranging wars.

Given the viciousness of human nature, which reveals itself openly in the unrestrained relations of nations with each other (whereas in a lawful civil condition the constraints of government keep it heavily veiled), one could well be amazed that people have not yet been able to banish the word *right* entirely from the politics of war as pedantic and that no state has as yet been so bold as to advance this opinion in public. For Hugo Grotius, Pufendorf, Vattel,[2] and others (all of them merely tiresome comforters) are always sincerely cited as *justification* for an outbreak of war, although their legal codes, whether treated in a philosophical or diplomatic manner, have not and cannot have the slightest *legal* force (because the states as such do not stand under any common external compulsion), and there is not a single example of a state that was ever moved to give up what it planned to do by means of arguments, even those armed with the testimonies of such important men. However, this homage that every state pays to the concept of rights (at least verbally) shows that there exists in human beings an even greater moral predisposition, although it may be asleep at the moment, at some point to become masters of the evil principle in them (for they cannot deny

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Pan (1749–1800) was a Swiss journalist; the lines from Alexander Pope (1688–1744) are from *The Essay on Man* (1732–34)—Kant quotes them in German, but in the text above the quotation is from Pope's text; Jonathan Swift (1667–1745) was an Irish-born writer famous for his pamphlets, satires, and the novel *Gulliver's Travels* (1726); Titus (39–81 CE), Marcus Aurelius (121–180 CE), Domitian (51–95 CE), and Commodus (161–192 CE) were Roman emperors.]

[1] *But instead … no concern to them* [Kant's note] A Greek emperor in a generous mood offered to fight a Bulgarian prince in single combat in order to end a conflict between them. The prince replied: "A blacksmith who has tongs will not take a red hot iron from the coals with his own hands."

[2] *Grotius, Pufendorf, Vattel* Hugo Grotius (1583–1645) was a Dutch jurist whose writings had a great influence on developments in international law; Samuel von Pufendorf (1632–94) was a German philosopher who wrote extensively on politics and law; Emmerich de Vattel (1714–67) was a Swiss philosopher and diplomat who wrote about international law (among other things).

its existence). And they have the same hope for others. If they did not, the word *right* would never be mentioned by states who wish to attack each other, unless merely as a joke, like that Gallic prince who remarked: "The privilege that nature has given the strong over the weak is that the weak are to obey them."

The ways in which states prosecute their rights can never involve a judicial process, as they could if there were an external tribunal. Their only resort is war. But even with war and a favourable outcome in victory, the question of rights will not be determined. A peace treaty may well bring this particular war to an end, but not the condition of war (people can always find a new pretext, which we cannot declare obviously unjust, because in this situation everyone is a judge in his own cause). Nevertheless, the principle which holds that, according to natural rights, human beings in lawless circumstances "should move out of this condition" does not, thanks to the rights of nations, apply precisely to states, because, as states, they already have an internal legal constitution and thus have developed beyond the point where others can, according to their concept of right, forcefully bring them under a wider legal constitution.

However, reason, on the throne of the loftiest moral-giving power, absolutely denounces war as a legal procedure and, by contrast, makes the condition of peace an immediate obligation. But without a compact of nations among themselves, peace cannot be founded or secured. Hence, it requires a special form of *alliance*, which one could call an *alliance for peace* (*foedus pacificum*). This would not be the same as a *peace treaty* (*pactum pacis*), for, while the latter seeks merely to end *a particular* war, the former seeks to put an end to *all* wars forever. This alliance does not seek to acquire any power whatsoever of the state but merely to maintain and guarantee the *freedom* of a state for itself and at the same time the freedom of other states in the alliance. But these states are not required to subject themselves to public laws and their coercive power (as happens with people in a state of nature).

Our ability to implement this idea of *federalism* (its objective realization), which is to extend itself gradually over all states and thus lead to perpetual peace, can be readily demonstrated. For if fortunate circumstances lead to the point where a powerful and enlightened people can form themselves into a republic (which, according to its nature, must be inclined to perpetual peace), it will provide a central point of a federal union for other states, so that they can attach themselves to it and in this way secure the condition of freedom for states, in accordance with the idea of the right of nations. Gradually, with more alliances of this kind, the federation can extend further and further.

It is understandable that a people should say, "There shall be no war among us. For we wish to form ourselves into a state, that is, we shall on our own make ourselves a supreme legislative, governing, and judicial power, which will resolve our quarrels peacefully." But when this state says, "There shall be no war between me and other states, although I recognize no supreme legislative authority that will guarantee my rights and those of the other states," then it is impossible to understand what it is on which I should ground my trust in my rights, unless it is the surrogate for the alliance basic to civil society, namely, on a free federalism, which reason must of necessity link to the idea of the rights of nations, if in fact there is anything further to think about in relation to that idea.

The notion that the rights of nations contain a right *to make war* is truly unintelligible, for that would be a right to determine what is legitimate, not in accordance with the universally valid laws restricting the freedom of every individual, but by using one-sided maxims driven home by force. Thus, we must understand the rights of nations as follows: people who think this way about war get everything they deserve when they destroy each other and thus find eternal peace in the wide grave that covers all the atrocities of violent acts, along with those who initiate them. According to reason, there can be no way for states, in their relationships with each other, to emerge from a condition of lawlessness, which entails never-ending war, unless they give up their lawless savage freedom, in the same way individual human beings have done, and learn to live under public and coercive laws and, in the process, construct an ever-growing *state of nations* (*civitas gentium*), which would end up including all the nations of the earth. But since nation states, according to their ideas of national rights, have no desire for this, they reject *in hypothesi* what is correct *in thesi*.[1] Thus, if we are not to lose everything, instead of the positive idea of *a world republic*, only its *negative* surrogate of an enduring and ever-expanding *alliance* preventing war may check the flow of hostile tendencies that reject the idea of rights, although there will constantly be a danger that war will break out (*Furor impius intus ... fremit horridus ore cruento—Virgil* [Impious inner fury with bloody lips roars savagely] *Aeneid* 1.294 and following lines).[1]

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[1] *since nation states … in thesi* Nation states endorse the idea that they have rights, and this implies that these states accept the authority of reason (since the idea of rights arises from reason). Hence, they ought to accept the establishment of a rational solution to world peace (the thesis, or *in thesi*). But their desire for no interference in their state sovereignty prevents the establishment of what is rationally necessary, a government of nations (the hypothesis, or *in hypothesi*).

Third Definitive Article for Perpetual Peace: The Rights of Human Beings as Citizens of the World Shall Be Restricted to the Conditions of Universal Hospitality

The issue here, as in the previous article, is not one of philanthropy, but of right, and here *hospitality* (*Wirtbarkeit*) means the right of a stranger who arrives in the land of someone else not to be treated by him in a hostile manner. The latter can turn the stranger away, if this can be done without bringing about his death, but so long as the new arrival acts peacefully, he cannot treat him as an enemy. The stranger cannot claim the *rights of a guest* (which would require a special charitable compact of friendship to make him for a certain period a member of the household) but rather the *rights of a visitor*. All human beings share in a right to present themselves to society, by virtue of their right to a common possession of the surface of the earth, on which, since it is a globe, people cannot be scattered for infinite distances but finally have to put up with living in close proximity to each other. But no one originally had more right to a particular place on earth than anyone else. Uninhabitable parts of this surface, like the sea and deserts, divide this human community, but in such a way that a ship or a camel (the ship of the desert) makes it possible for people to approach each other over these unclaimed regions and thus to make use of their right to the surface of the earth, which men share in common, for potential social interaction. The absence of hospitality along the sea coasts (for example, the Barbary Coast), the habit of plundering ships in nearby seas or of making slaves of stranded sailors or those in deserts—where people (for example, the Arab Bedouins) believe that their proximity to the nomadic races gives them the right to rob them—is thus contrary to natural law, that is, the privilege of those visiting a foreign land, a right that does not extend further than the conditions that make it possible for them to *attempt* to interact with the original inhabitants. In this way, distant parts of the world can enter into peaceful relations with each other. These relations may end up becoming publicly governed by law, and thus the human race will finally be able to bring a cosmopolitan constitution closer to realization.

If we compare these examples with the *inhospitable* conduct of the civilized nations, especially with the trading states of our part of the world, the injustice that they demonstrate in their *visits* to foreign lands and peoples (which they consider equivalent to *conquest*) fill us with horror. America, the Negro lands, the Spice Islands, the Cape, and so on were for them, at the time of their discovery, lands which belonged to no one. For they considered the inhabitants nothing at all. In the East Indies (Hindustan), using their intention to establish trading posts as a mere pretext, they brought in foreign troops, and, along with them, the suppression of the inhabitants, the incitement of the different states of the Indies to widespread wars, famine, turmoil, disloyalty, and the entire litany of evil that can oppress the human race.

China and Japan (Nipon) had made an attempt to cope with guests like this and have therefore acted wisely.[2]

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[1] *if we are not to lose ... lines* [Kant's note] Once a war has ended and a peace treaty has been signed, it might not be inappropriate for a nation to announce a day of penance after its holiday of thanksgiving and, in the name of the state, to pray to heaven for mercy for the great sin that the human race is guilty of to this day, because in its interactions with other nations it is unwilling to agree to a legal constitution. Instead it takes pride in its national independence and would rather use the barbaric method of war (which, however, does not resolve what is looked for, namely the right of each state). The celebrations of thanksgiving during the war for a victory that has been fought and won and the hymns that people sing to the Lord of Hosts (to use a fine Israelite expression) stand in just as sharp a contrast to the moral idea of a *Father of Humankind*, because, apart from the indifference these show to the methods nations use to seek their mutual rights (which is sad enough), they introduce a sense that people are celebrating the fact that the happiness or the lives of a great many people have been destroyed.

[2] *China and Japan ... wisely* [Kant's note] In order to call this great empire by the name which it uses for itself (that is, *China*, not Sina or a word which sounds similar), we need only to examine Georgii: *Alphab. Tibet* [Antonio Georgi, Alphabetum Tibetanum, 1762], pp. 651 to 654, particularly Note b at the bottom. According to the observation of Professor Fischer from St. Petersburg, there is really no fixed name this state uses to identify itself. The most common is still the word *Kin*, meaning *gold* (which the Tibetans express as *Ser*). Thus, the emperor is called the *King of Gold* (king of the most beautiful land in the world). The word *Kin*, which in the empire itself is probably pronounced *Chin*, may have become *Kin* in the speech of Italian missionaries (because of the guttural sounds). From this, we see the land of the *Seres*,

China permits them coastal access but not entrance into the country, and Japan gave the same permission to only one European people, the Dutch, who, even so, are treated like prisoners and prohibited from social intercourse with the inhabitants. The worst result of this—or, from the standpoint of a moral judge, the best—is that all these trading societies get no satisfaction from their violence, for they are all close to ruin. The Sugar Islands [Caribbean Islands]—the headquarters of the most horrific and deliberate slavery—have yielded no real profit, but only an indirect one, and what they produce is nothing to boast about. For they serve to train sailors for warships and thus to carry on more wars in Europe. And this is done by powers that loudly proclaim their piety and, as they drink up injustice like water, wish to be considered among the elect for their religious orthodoxy.

The greater or lesser social interactions among the nations of the earth, which have been constantly increasing everywhere, have now spread so far that a violation of rights in one part of the earth is felt everywhere. Hence, the idea of a cosmopolitan right is not a fantastic, hysterical way of imagining rights, but a necessary completion of the unwritten code of both national and international law for the public rights of human beings generally and so for perpetual peace. Only under the conditions of international law can we flatter ourselves that we are continually approaching such a peace.

First Supplement: Concerning the Guarantee of Perpetual Peace

What provides the *guarantee* of perpetual peace is nothing less than the great artist *nature* (*natura daedala rerum* [nature the fashioner of things]), whose mechanical course clearly shows a purposeful design to allow harmony to emerge from the conflicts among human beings, even against their will. That is why this power, when it works as a necessary causal force by laws unknown to us is called *fate*, but when we consider its purposefulness in the course of the world and see it as the profound wisdom of a Higher Cause directed at the objective and ultimate purpose of the human race and predetermining world events, we call it *providence*.[1] We do

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called that by the Romans, was China. The silk, however, was sent to Europe across *Greater Tibet* (probably through *Lesser Tibet* and Bukhara, across Persia, and then on from there). These points lead to many reflections about the age of this astonishing state at the time of its union with Tibet, in comparison with the age of Hindustan, and beyond that, with Japan; whereas, the name *Sina* or *Tschina*, which is allegedly given to this land by its neighbours, leads nowhere. Perhaps we can clarify the ancient association of Europe with Tibet from what Hesychius maintained about it, something that has never been properly understood, that is, the shout Κονξ Ομπαξ (*Konx Ompax*) made by the hierophant in the Eleusinian mysteries (see *The Travels of Anacharsis the Younger*, Part 5, p. 447 ff.). For according to Georgi, *Alph[abetum] Tibet[arum]*, the word *Concioa* means *God*, a word that has a remarkable similarity to *Konx*. *Pah-cio* (*ibid.*, p. 520), which could easily have been pronounced by the Greeks as *peace*, means *promulgator legis* [the one who promulgates the law], the divine being immanent in all nature (also called *Cencresi*, p. 177). However, *Ohm*, which La Croze translates as *benedictus*, or *blessed*, can, when it describes the divinity, probably mean nothing other than *the beatified one* (p. 507). Now, when P. Franz Horatius [Father Francisco Orazio] asked the Lamas of Tibet, whom he often questioned, what they understood by God (*Concioa*), he always received this answer: "*It is the assembly of all the holy ones*" (that is, the blessed ones who, after many wanderings through all kinds of bodies, according to the lama's doctrine of rebirth, finally return back to the divinity in *Burchane*, that is, they are transmigrated souls, beings worthy of adoration (p. 223). And so that mysterious phrase *Konx Ompax* probably should mean the *holy* (*Konx*), *blessed* (*Om*), and *wise* (*Pax*) Supreme Being permeating the entire world (the personification of nature), and it was used in the Greek mysteries probably to designate *monotheism* for the Epoptes [those with repeated experience of the mysteries], in contrast to the *polytheism* of the people. *P. Horatius* [Father Orazio] (same citation as above), however, suspected *atheism* here. But how that mysterious expression came from Tibet to the Greeks can probably be accounted for by the explanation given above and, conversely, through the early communication of the Europeans with China by way of Tibet (perhaps even earlier than between Europe and Hindustan). [Father Antonio Georgi (1711–97) was an Augustine friar who compiled and published materials sent by missionaries back to Italy from Tibet; Hesychius was a Greek living in Alexandria in the fifth century CE; the Eleusinian mysteries were annual rites of initiation in the ancient Greek cult of the gods Demeter and Persephone; *The Travels of Anacharsis the Younger in Greece* was an imaginary travel journal published in 1788 by Jean Barthelemy; Maurin Veyssière La Croze (1661–1739) was a French historian who wrote on Buddhism, among other things; Father Francesco Orazio Olivieri della Penna (1680–1745) was an Italian Capuchin missionary in Tibet who produced a small Tibetan-Italian dictionary and translated some Tibetan works into Italian.]

[1] *this power … providence* [Kant's note] In the mechanical operations of nature, to which human beings, as sentient beings, belong, a form manifests itself as the fundamental basis of its existence, something which we are incapable of making intelligible to ourselves, unless we conceive of the idea that these operations have a purpose set in advance by the original creator of the world. This predetermination in nature we generally call *Divine Providence*. To the extent that this providence is present in the *beginning* of the world we think of it as a *founding* providence

not, in fact, truly *recognize* this providence in the artisti formations of nature, nor do we *make conclusions* about it on the basis of these designs, but, as in all connections between the forms of things and their final causes generally, we can and must merely *supply the idea of a higher cause* in order to create for ourselves a concept of their possibility, using the analogy of human artistic actions. But to form a picture for ourselves of their relationships to and their harmony with a final moral purpose, which reason at once prescribes for us, is an idea that from a *theoretical* point of view transcends our experience, but from a *practical* point of view is dogmatic, and its reality is well established (for example, in connection with the idea of our having a duty *to perpetual peace* and using the mechanism of nature in its pursuit). And when, as in this case, our concern is merely with theory (and not with religion) the use of the word *nature* is also more appropriate, given the limits of human understanding (for in considering the relationship of effects to their causes, we must remain within the boundaries of possible experience). It is also *more modest*, because to use the expression *providence* to describe something we could know would be the height of presumption—we would be putting on the wings of Icarus[1] in order to come closer to the secret of its unfathomable design.

Now, before we go into this guarantee in greater detail, we first have to explore the circumstances that nature has

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(*providentia conditrix; semel iussit, semper parent* [founding providence; when she commands, they always obey]—Augustine). But insofar as it maintains the actions of nature according to universal laws of purposefulness, we call it *ruling* providence (*providentia gubernatrix*). Beyond that, when it manifests itself in special ends that human beings cannot predict but merely suspect from the result, we call it *guiding* providence (*providentia directrix*). Finally, when particular events are involved as divine ends, we no longer talk of providence but of dispensation (*directio extraordinaria* [extraordinary direction]). Human beings want to explain what these are in their essence, but such a desire is foolish presumptuousness in people, since such events are, in fact, miracles, although they are not called that. For to make conclusions about a special principle of efficient causes on the basis of a single event—to infer that this event is an end and not merely a mechanical and natural consequence of another purpose completely unknown to us—is absurd and full of arrogance, no matter how devout and humble the language used to talk about such things. In the same way, to divide providence (from a *material* viewpoint) in connection with *objects* in the world into *universal* and *particular* is false and self-contradictory (for example, to assert that there may be a providence which maintains the animal species but which leaves the individuals to chance). For we describe providence with the specific term *universal*, so that we do not consider a single thing exempt from it. Technically speaking, by dividing providence like this, people presumably mean here the ways in which it carries out its purpose, that is, they separate it into *ordinary* providence (e.g., the annual death and rebirth in nature according to the changes in the seasons) and *extraordinary* providence (e.g., the way in which the sea currents carry wood to frozen coasts where trees cannot grow, for the inhabitants there, who could not live without it). In this case, although we can quickly explain the physical-mechanical cause of this phenomenon (for instance, in temperate lands the river banks are overgrown with trees, which fall into the water and are carried far away, perhaps by the Gulf Stream), nonetheless, we must not overlook the teleological cause, which indicates the care of a wisdom ruling over nature. But the idea commonly used in philosophy schools of a divine *collaboration* or *cooperation* (*concursus*) in the operations of the sensible world must be abandoned. For to want to link together two things of different kinds (*gryphes iungere equis* [to yoke griffins with horses]) and to allow Him who is Himself the complete cause of the changes in the world to amend his own predetermining providence during the running of the world (which thus must have been defective)—for example, to say that *next to God* the doctor healed the patient, and so He was there as a support—is, firstly, inherently contradictory. For *causa solitaria non iuvat* [an isolated cause does not help]. God is the creator of the doctor and of all his remedies, and so, if we want to ascend to the highest cause, which is theoretically inconceivable to us, we must ascribe the effect *entirely* to Him. Or we can also give the *entire* credit to the doctor, insofar as we explain this event in terms of natural order in the chain of causes in the world. Secondly, such a way of thinking destroys all the fixed principles by which we assess an effect. But from the view of *practical morality*, which is directed entirely at the transcendent world, the idea of a divine *concursus* [cooperation] is entirely fitting and even necessary, for example, the belief that, if only our basic convictions are sincere, God will make up for the defects in our own justice, even with means incomprehensible to us, and thus we should not relax our striving for what is good. From this it clearly follows that no one has to *explain* a good action (as an event in the world) by appealing to such cooperation, for that would be assuming a theoretical understanding of the supersensible, and consequently it would be illogical. [Saint Augustine of Hippo (354–430 CE) was a theologian who profoundly influenced the western Christian church; efficient causes and teleological cause were two of the ancient Greek philosopher Aristotle's four causes, which together characterize all things. A given thing's efficient cause is what brings it into existence; its teleological, or final, cause is its purpose or the end it is meant to serve.]

[1] *Icarus* In Greek mythology, Icarus and his father Daedalus put on artificial wings to fly over the sea away from Crete. Icarus flew too high, and the sun melted the wax holding the feathers of his wings in place. As a result, he fell into the sea and drowned. Kant's point here is that we cannot, on the basis of designs in nature, make any theoretical conclusions about supersensible beings (e.g., God), because we cannot use our sense experience to make claims about what lies beyond sense experience. However, from a point of view of practical morality we must assume the purposefulness of nature and assist its mechanical operations in order to move closer to perpetual peace.

arranged for those people who act on her great stage, conditions that finally make her assurance of peace necessary. Only after that will we consider the manner in which she provides this assurance.

The arrangements by which nature provides for us consist of the following: (1) she has seen to it that human beings can live in all regions of the world; (2) by means of *war* she has scattered them everywhere, even in the most inhospitable regions, so that these will be populated; (3) by the very same means she has forced people to enter into more or less lawful relationships. Surely it is wonderful that in the frozen deserts around the Arctic Ocean, moss still grows, which the reindeer scrapes off from under the snow, in order to be able to serve as food or draw the sled for the Ostyiak or Samoyed [peoples living in northern Russia], or that salty sand deserts have the camel, which seems to have been created for travelling through them, so that those areas will not be left unused. But nature's purpose is even more evident when we learn how, in addition to the fur-bearing animals on the shores of the Arctic Ocean, there are seals, walruses, and whales, whose flesh provides food for the people living there and whose oil gives them fire. But nature's providential care excites the most admiration through the driftwood that she brings to these barren shores (without our having any clear idea of where it comes from). Without this material the inhabitants could not make their means of transportation or their weapons or even the huts where they live.

In this region they have enough to do warring against animals, so that they live peacefully amongst themselves. But what *drove* the people there was probably nothing other than war. Among all the animals, the first one men used as an *instrument of war* was the *horse*, which they had learned to tame and domesticate at the time the earth was being populated (for the elephant belongs to a later age, a period of luxury for already established states). Similarly, the art of cultivating certain types of grasses called *grains*—ones whose original qualities we no longer know—as well as the copying and refining of different *varieties of fruit* by transplanting and grafting (perhaps in Europe of only two species, the crab apple and the wild pear) could arise only under conditions produced in already established states, where there was secure ownership of land, after human beings had moved beyond the earlier lawless freedom of a life of hunting, fishing, and herding animals to a life of working the land.[1] Now salt and iron were discovered, which were perhaps the first articles searched out far and wide for the commercial interactions of different peoples and through which they were initially brought into a *peaceful relationship* with one another and so developed a mutual understanding, a sense of community, and peaceful relations, even with those living further away.

Now, while nature has seen to it that human beings *could* live in all regions of the earth, she has, like a despot, also willed that they *ought* to live all over the earth, even when they had no inclination to do so and even without assuming that this *ought* is linked to an idea of duty arising from a moral law that would bind them to her. Instead she has chosen war as the way to achieve this end. For we see certain peoples whose shared ancestry is revealed in the common features of their speech, like the Samoyeds of the Arctic Ocean, on the one hand, and a people whose speech is similar living two hundred miles away in the Altai Mountains [in Central Asia], on the other. Between these two another people, namely, the Mongols, who ride horses and are therefore warlike, have inserted themselves and thus driven one part of the original race far away from the other, into the inhospitable icy regions, which they certainly had no inclination to move to on their own.[2] In the same way those Finns living in the northernmost regions of Europe, who are called Laplanders, are just as far distant from the Hungarians, whose language is related to theirs, because of the intrusion of Gothic [Germanic] and Sarmatic [Iranian] peoples between the two. And what else but war, which nature uses as her means to populate all regions of the earth, could have driven the Eskimos (perhaps ancient European adventurers, a race completely different from all Americans) into the north and the Pescharais into the south of the Americas, right down to Tierra del Fuego?

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[1] *art of cultivating ... the land* [Kant's note] Of all the ways of life, *hunting* is undoubtedly the one most incompatible with a civilized constitution. For the families must live separate from each other, soon become *strangers*, and then, as they scatter across the sprawling forests, quickly become *enemies*, since each of them needs a great deal of room to obtain its food and clothing. The *command Noah received* in Genesis, 9.4–6, *the prohibition against blood* (which was often repeated and which later was even imposed as a condition by Jewish Christians on those recently converted from paganism to Christianity—although they had something else in mind, Acts 15.20, 21.25), appears originally to have been nothing other than a prohibition against the hunter's way of life, for with hunters the opportunity to eat raw meat must often occur, and so when they banned the eating of raw meat, they also banned hunting.

[2] *the Mongols ... their own* [Kant's note] We could ask the following: If nature has willed it that these icy coasts should not remain uninhabited, what will become of the people living there if the time comes (as we can expect) when no more driftwood is carried to them? For we can well believe that with further cultural developments the inhabitants of the temperate zones of the earth will make better use of the wood that grows on the banks of their rivers and will not let it fall into the streams and thus be carried away by the sea. My answer is that the inhabitants who live along the Ob, the Yenisei, the Lena [Siberian rivers flowing into the Arctic Ocean], and so on will supply the wood through trade, accepting in exchange the animal products in which the Arctic seas are so rich, but only when nature has first forced them to make peace among themselves.

War, however, does not require a particular reason for its motivation but appears to be grafted onto human nature, even as something inherently noble, to which men are inspired through an urge for glory, without being motivated by selfish desires. As a result, *courage in war* (among the American savages as well as among Europeans in the age of chivalry) is considered something of immediate and great value, not merely *when* war is going on (as is reasonable), but also *in order to* encourage war. Wars have often started merely to demonstrate this courage, so that an inner *worth* has been attributed to war in and of itself. Even philosophers have praised war as a certain ennoblement of human beings, ignoring the proverbial expression of that Greek who said, "War is bad, for it makes more evil people than it destroys."[1] So much, then, for what nature does *in pursuit of her own purpose* concerning the human race as a class of animals.

Now we come to the questions that concern the essential feature of this design for perpetual peace: "What does nature do in this respect with reference to the purpose which human beings' own reason establishes as a duty for them? Hence, what does nature do to encourage their *moral intentions*? And how does she provide a guarantee that human beings *will* do those things which they *ought* to do, according to the laws of their freedom, and yet fail to do, without injuring their freedom by using her coercive power? How does nature do this in accordance with the three forms of public right: *constitutional rights*, *international rights*, and *cosmopolitan rights*?" When I say of nature that *she wills* this or that to happen, it does not mean that she imposes a duty on us to do it (for that can only be done by the practical reason acting without any constraints) but rather that she *does* it herself, whether we are willing or not (*fata volentem ducunt, nolentem trahunt* [the fates lead the willing but drag the unwilling]).

1. Even if a people were not forced by their inner quarrels to place themselves under the compulsion of public laws, a war from outside would nonetheless compel them to do so, according to the previously mentioned design in nature, through which every nation finds another neighbouring people pressuring it, and it must form itself internally into a *state* in order to be equipped, as a *power*, against this external nation. Now, a *republican* constitution is the only one that is perfectly adapted to the rights of human beings, but it is also the most difficult to establish and is even more difficult to maintain, so much so that many have asserted that a republic must be a state made up of *angels*, because human beings, given their selfish tendencies, are incapable of such a sublime form of constitution. But now nature comes to the assistance of that admirable but in practice powerless general will of human beings, grounded in reason. She does this precisely through those selfish tendencies, so that the only issue that matters is a good organization for the state (which is certainly within human capabilities), one in which the state's inner forces are directed against each other in such a way that one checks the destructive effects of the others or neutralizes them. Thus, the outcome, from the point of view of reason, is as if neither of them were present, and so the human being, even if he is not a morally good person, is nonetheless compelled to be a good citizen. The problem of establishing a state, as difficult as that sounds, can be resolved, even for a nation of devils (provided only that they have reason). We may explain the issue as follows: "A large number of reasonable beings who collectively require general laws for their own preservation and yet each of whom is inclined secretly to exclude himself from their control have to be organized and a constitution has to be established for them, so that, even if in their private feelings they work against each other, these feelings nonetheless act as a check against each other in such a way that in their public behaviour the effect is the same as if they had no such evil feelings." There must be *a solution* to such a problem. For we do not have to know how to achieve moral improvement in human beings, but only how to use the mechanism of nature on people in order to direct the conflict of their hostile attitudes in such a way that they mutually require each other to submit themselves to the control of law and so have to introduce a condition of peace in which the laws have force.

We can observe this happening in actually existing states, even ones that are very imperfectly organized, so that in their external relationships they are already coming very close to what the idea of right prescribes, although their inner morality is certainly not the cause (and we should not expect a good political constitution to come from this inner moral principle but rather the other way around—for good moral culture among a people first comes once such a constitution is in place). Thus, the mechanism of nature through these selfish inclinations, which naturally work against each other in their external effects, can be used by reason as a tool to create room for the realization of reason's end goal, the rule of right, and in the process also promote and safeguard both inner and external peace, to the extent that the state has power to do that. And so the issue here is as follows: nature irresistibly *wills* that right finally has supreme power. What people neglect to do here will finally be accomplished on its own, although with a great deal of inconvenience. "If we bend a reed too much, it breaks, and the person who wants to do too much, does nothing" (*Bouterwek*).[1]

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[1] *"War is bad … destroys."* The original source of this quotation is unknown.

2. The idea of international law assumes the *separation* of many neighbouring states independent of one another. Although in such a situation a condition of war already inherently exists (unless a united federation of these states prevents an outbreak of hostilities), nonetheless, according to the idea of reason, this is still better than the fusing together of these nations thanks to a power that has come to dominate the others and has transformed itself into a universal monarchy, because, as the extent of the government's control increases, the laws always keep losing some of their influence, and a soulless despotism, once it has rooted out the seed of good, finally sinks into anarchy. However, every state (or its ruling power) desires to establish a lasting condition of peace in this way, so that, if possible, it rules the entire world. But *nature* wills it otherwise. She uses two means to prevent nations from intermingling and to keep them separate: the differences in the *languages* and in the *religions*, which bring with them a tendency to mutual hatred and pretexts for war.[2] But the developing culture and the way people gradually come closer to a greater agreement in principle lead to a common understanding about peace, which, unlike that despotism (the graveyard of freedom), is produced and secured not by a weakening of all forces, but by a balancing of the most energetic competitive forces.

3. Just as nature, on the one hand, judiciously separates nations which the will of each state, even according to the principles of international right, would be happy to combine into one by duplicity or force, so, on the other hand, nature uses mutual self-interest to link together states that the idea of cosmopolitan right would not have kept safe from violence and war. She achieves this with the *spirit of commerce*, which cannot co-exist with war and which sooner or later seizes every nation. For among all-powerful means at the state's disposal, the *power of gold* may well be the most reliable. Hence, states find themselves driven to promote noble peace (naturally what motivates them to do this does not come from morality) and, wherever in the world war threatens to break out, to avert it through negotiation, just as if they were in a permanent alliance for this purpose. Great coalitions formed for waging war can, according to the nature of things, happen only very rarely, and they succeed even more rarely. In this way, through the mechanisms in human inclinations, nature guarantees perpetual peace—not, it is true, with sufficient certainty for us to *prophesy* the future (theoretically), but still well enough from a practical point of view. And this makes it a duty for human beings to work towards this goal (which is not merely illusory).

Second Supplement: A Secret Article for Perpetual Peace[3]

A secret article in transactions dealing with public right is, from an objective point of view, that is, according to its meaning, a contradiction. But subjectively, when we judge it according to the quality of the person dictating it, the clause might well contain a secret that he could consider injurious to his dignity were it announced publicly as originating from him.

The single article of this kind is contained in the following proposition: *The maxims of the philosophers concerning the conditions that make a public peace possible shall be taken into account by those states armed for war.*

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[1] *Boutwerwek* Friedrich Bouterwek (1766–1828) was a German philosopher, critic, historian, and novelist.

[2] *the religions ... pretexts for war* [Kant's note] *Difference of religion*! An odd expression, as if one were speaking about different *moralities*. There can certainly be historically different *forms of belief*, not in religion but in the history of the ways used to promote religion—a subject for scholarly investigation. In the same way there are different *religious books* (the *Zendavesta*, *Vedas*, *Koran*, and so on), but there is only one *religion*, valid for all human beings and for all ages. These therefore can be considered nothing other than the mere vehicles of religion—something accidental—which can vary according to differences in time and place.

[3] The Second Supplement was not in the original (1795) edition of *Perpetual Peace*; it was added to the second (1796) edition.

However, it seems to be disparaging the legislative authority of a state—to which we must naturally attribute the greatest wisdom—to seek for instruction from *subjects* (the philosophers) about the principles of its relations with other nations, even though the state is well-advised to do so. Therefore, the state will *invite them to do that silently* (while at the same time keeping the matter secret). This amounts to saying that the state will *allow* philosophers *to speak* freely and openly about the general precepts for conducting war and establishing peace (philosophers will do that anyway on their own, unless they are forbidden to do so). For states to come to an understanding with each other on this point does not require them to draw up a special international agreement promoting this goal, for it is already part of the obligation established by universal human reason (which imposes moral laws). However, this does not mean that the state must give the principles of the philosopher precedence over the opinions of the jurist (who represents the authority of the state), but *only* that people *should listen* to the philosopher. The jurist, who has made the *scales* of right and the *sword* of justice his symbols, not only commonly uses that sword to keep all foreign influences away from the scales, but also, when one side of the scale will not move down, throws the sword into it (*Vae victis* [Woe to the conquered!]). The jurist who is not also a moral philosopher has the greatest temptation to do this because his official position simply requires him to apply existing laws but not to explore whether these need to be improved. Moreover, although his faculty is, in fact, a lower one, he considers it nobler, because it involves power (as is the case with the other two faculties, medicine and theology). The faculty of philosophy stands on a step very much lower than this combined power. Hence, the saying goes, for example, that philosophy is the handmaiden of theology (and the same has been said about her relationship to medicine and law). However, we cannot clearly discern "whether she bears the torch before her gracious ladies or carries their train."

That kings become philosophers or philosophers become kings is not something we should expect or even hope for, because holding power inevitably corrupts the free judgments of reason.[1] However, kings or sovereign nations (who rule themselves according to laws of equality) should not allow the class of philosophers to disappear or to be silenced, but should let them speak publicly, because this casts light on the work they both do, something indispensible to them. And given that the class of philosophers by its very nature is incapable of stirring up trouble and uniting into political factions, it cannot not be suspected of generating *propaganda*.

Appendix I: Concerning the Disagreement Between Morality and Politics in Connection with Perpetual Peace

Morality is inherently a practical activity [Praxis] in an objective sense, for it is the embodiment of unconditionally commanding laws, according to which we *ought* to act, and, once we have conceded the authority of this idea of duty, it is clearly inconsistent to continue wishing to assert that nevertheless we *cannot* act in that way, because then this idea of morality would collapse on its own (*ultra posse nemo obligatur* [no one is obliged beyond what is possible]). As a result, there can be no conflict between politics as the practical doctrine of right and morality as a theoretical doctrine of right (hence, no conflict between theory and practice). For such a dispute to arise, we would have to understand the word *morality* to mean a general *doctrine of shrewdness*, that is, a theory of precepts for selecting the most suitable means for achieving those ends that we have determined are to our advantage—and that would be to deny the very existence of morality.

Politics says "*Be as clever as serpents.*" Morality adds (as a limiting condition), "*and as innocent as doves.*" If both precepts cannot stand together in a single command, then there is truly a dispute between politics and morality. If, however, the two are in harmony throughout, then the idea of opposition is absurd, and the question about how the conflict between them might be reconciled does not even arise as a task to be addressed. Although the saying *Honesty is the best policy* involves a theory that practice unfortunately very often contradicts, nonetheless, the equally theoretical saying *Honesty is better than all policy* is infinitely higher than any objection one could make to it and is, indeed, the necessary condition of policy. The god who marks out the boundaries of morality does not yield to Jupiter, the god determining the boundaries of force, for Jupiter still stands subject to fate. That is to say, reason is not sufficiently enlightened to perceive the series of predetermining causes that would allow it to announce with certainty the happy or unhappy results of everything human beings do in accordance with the mechanisms of nature (although it does allow us to hope that these results will be what we want). However, reason is bright enough to illuminate for us everything we have to do in order to remain on the beaten path of duty (following the rules of wisdom) and thus to pursue our ultimate purpose.

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[1] *That kings … of reason* In the *Republic*, Plato describes an ideal state in which the rulers would be those citizens with the greatest natural aptitude for and the most rigorous training in philosophy.

Now, the practical man (for whom morality is merely theoretical, even as he concedes that what *ought* to be done *can* be done) bases his dreary rejection of our good-natured hope essentially on the following point: he pretends that he can predict, on the basis of human nature, that people *will never be willing* to do what is required to bring about that goal that leads to perpetual peace. Of course, the will of *all individual* human beings to live under a lawful constitution based on principles of freedom (the *distributive* unity of the will of *all*) is not enough to achieve this goal. Instead, *everyone* must desire this condition *together* (the *collective* unity of their united wills). This solution to a difficult problem is still required so that civil society may become a totality. Since, over and above the differences among the particular wills of all the individuals, one still needs to add a unifying cause in order to bring out a common will, something that no collection of individual wills is capable of doing, it follows that, for the *implementation* of this idea in practice, no other beginning for a state of justice can be relied upon other than one created by *force*, on whose coercive power public right will afterwards be based. This situation, then, in actual experience naturally leaves us right from the start expecting huge departures from the theoretical idea of right (since we can hardly assume that the lawgiver in this matter will, on the basis of his moral sentiments, simply leave it to the people to bring about a legal constitution through their common will, once the unification of a wild multitude into a nation has taken place).

What this means is that once someone has the power in his hands, he will not let the people determine the laws for him. In the matter of how a nation is to seek its rights with respect to other nations, a state that is now in a position where it is not subject to any external laws will not make itself dependent on the judicial tribunals of others, and even a continent, when it feels it is superior to another continent, which, as it so happens, does not stand in its way, will not neglect to use means to increase its power by robbing that continent or even conquering it. And thus all theoretical plans concerning national, international, and cosmopolitan rights fade away into empty impractical ideals, while, by contrast, a political practice that is based upon empirical principles derived from human nature and that does not consider it demeaning to draw instruction for its maxims from the way the world actually operates is the only way one can hope to find a sure foundation for building a political system based on expediency.

Of course, if there is no freedom and no moral law founded on it and if whatever happens or can happen is merely the mechanical working of nature, then practical wisdom would consist entirely of politics (as the art of using this mechanism to govern people), and the concept of rights is an empty idea. But if we find that the concept of rights is inextricably and necessarily linked to politics and if we even raise it to the position of a limiting condition of politics, then we must admit that the two of them can be reconciled. I can imagine a *moral politician*, that is, a man who thinks of the principles of national expediency in such a way that they could coexist with morality, but I cannot imagine a *political moralist*, someone who concocts a morality for himself so that it helps to promote benefits for the statesman.

The moral politician will adopt the following basic principle: if we ever come across a defect in the political constitution or in our international relations that we could not have avoided, there is a duty, especially for those who govern the state, to take care to correct it as soon as possible, so that it can be made to comply with natural right, as that presents itself as a model before our eyes in the idea of reason, even if that comes at the expense of their own self-interest. Now, to rip apart the bonds of a state or a cosmopolitan union before an even better constitution is ready to take its place is contrary to all political discretion, which, in this respect, agrees with morality. Thus, it would be absurd to demand that such a defect in the constitution must be immediately and impetuously altered. But at least one can demand that the ruling power seriously acknowledge the notion that such a change is necessary, so that it can continue constantly to approach the end goal (the best constitution according to the laws of right).

A state can *govern* itself in a republican manner, even if it still has, according to its existing constitution, a despotic *arrangement of the ruling power*, until the people gradually become capable of being influenced simply by the idea of the authority of the law (just as if the law had physical power) and, as a result, are found competent enough to give themselves their own laws (a practice that is originally founded on right). But even if the violence of a *revolution* produced by a bad constitution were to set up by unlawful means a constitution more in keeping with the law, then it would have to be no longer permissible to lead the people back to the old constitution, although during the revolution anyone who took part in it either violently or surreptitiously would have been rightly subject to the punishment meted out to rebels. However, as far as the foreign relations of a state are concerned, one cannot demand that a state give up its constitution, even though it could be a despotic one (and thus stronger in its dealings with external enemies), so long as there is a danger that it could be immediately swallowed up by other states. As a result, faced with such a proposed change, a state is permitted to delay its implementation until a more favourable opportunity.[1]

It could also always be the case that the despotic moralists (who are failures in practical matters) collide with political expediency in many ways (with measures they have taken up or recommended too quickly). When they make these mistakes against nature, experience must bring them gradually to a better path; whereas, moralizing politicians, by making excuses for political principles that contravene what is right, under the pretext that human nature is not *capable* of good the way the idea of reason stipulates, do everything within their power to make improvement *impossible* and to perpetuate violations of rights.

Instead of following the practice [Praxis] that these shrewd statesmen boast about, they circumvent the issue with *practices* [Praktiken], and, while they are careful to tell those presently in power what they want to hear, in order not to neglect their own private interests, they give away the people and, where possible, the entire world. In this way, they are like genuine lawyers (the ones who act like tradesmen, not those who *legislate*) when they presume to meddle in politics. For since it is not their business to reason about legislation itself but rather to enforce the present laws of the land, they must always consider every legal constitution presently in existence—and, if this is altered by a higher power, the one that follows it—as the best, where everything is in proper mechanical order. This adroitness of theirs at turning their hands to anything may delude them into thinking that they also have the ability to judge the general principles of a *political constitution* according to the ideas of right (hence, not empirically but *a priori*).[2] When they boast about how they understand *people* (which, of course, is something we expect, because they have to deal with a great many of them), but without knowing anything of *human beings* and what can be made of them (something that requires a higher anthropological point of view) and apply these ideas of theirs to civil and international right, as reason requires, they can take this step only in a spirit of sophisticated subterfuge. For they will follow their usual practice (of applying laws of a mechanical system according to coercive principles despotically handed down), even where the only legal compulsion the ideas of reason are willing to recognize is one that meets the principles of freedom, through which a durable and legitimate political constitution becomes for the first time possible. The supposedly practical man believes he can solve the problem empirically by circumventing this idea of reason and consulting his experience of how the constitutions that have up to this point lasted the longest were established, even though they were for the most part contrary to right. The precepts that he uses for this task (although he does not allow them to be publicized) involve more or less the following sophistic maxims:

1. *Fac et excusa* [Act and make excuses]. Seize a favourable opportunity for unauthorized appropriation of something (a right of the state either over its own people or over another neighbouring state). One can gloss over the use of force and offer a justification far more easily and fluently *after the fact* (particularly in the first case, where the ruling power within the state is also the legislative authority, which people must obey without raising objections) than when one wants to think up convincing reasons for the action in advance and wait for all the objections. This boldness even

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[1] *a state is permitted ... opportunity* [Kant's note] These are the permissive laws of reason. They allow us to leave in place a system of public law that is tainted with injustice, until such time as everything has matured and is ready for a complete revolution, either spontaneously or encouraged and brought close to fruition by peaceful means. For any *legal* constitution, even if it bears only a slight resemblance to what is right, is better than none at all, for the latter fate (anarchy) is what comes about through *overhasty* reforms. Hence, political wisdom will make it a duty to enact reforms that are appropriate to the ideal of public right, given the present political conditions, but will not use revolutions, when these have been brought about by nature herself, as pretexts for even greater oppression, but rather as the cry of nature summoning it to introduce fundamental reforms so as to bring in a lawful constitution based upon the principles of freedom, the only constitution that endures.

[2] *a priori* A form of knowledge not based on experience but on pure reasoning.

provides a certain appearance of inner conviction that the act is just, and the god *bonus eventus* (the god of success) is the best advocate afterwards.

2. *Si fecisti, nega* [If you have done something, deny it]. In the case of any crime you have committed—something that has, for example, led your people to despair and thus to rebellion—you should deny that it is *your* fault. Instead you must insist that it was the unruliness of the subjects or even, when it is a matter of your seizing power of a neighbouring state, the fault of human nature: if we do not forcefully anticipate the aggression of someone else, we can certainly count on the fact that he will anticipate us and use force to take what is ours.

3. *Divide et impera* [Divide and conquer]. This means the following: if there are certain privileged leading citizens among your people who have chosen you merely as their ruler (*primus inter pares* [the first among equals]), make them quarrel with each other, and create divisions between them and the people. Then, set yourself up as the champion of the people under the pretense of offering them greater freedom, and now everything will depend upon your unconditional will. Or if you are dealing with foreign states, then inciting disagreements among them, while appearing to assist the weaker ones, is a fairly reliable way of subjecting them to your will one after the other.

Now, it is true that no one is deceived by these political precepts, for they are all universally known already. And it is not the case that there is something to be ashamed of with them, as if their injustice were just too patently obvious. For, since great powers are never shamed by how the crowd of common people judge them, but only by what one of the other powers might think, as far as the above principles are concerned, what can embarrass these powers is not their being publicly known but only their *failure to succeed* (for, as far as the morality of those precepts goes, they are all in agreement). And so what is always left is their *political honour*, on which they can securely rely: that is, *increasing their own power*, in whatever way that can be achieved.[1]

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From all these snake-like contortions of an immoral doctrine of expediency, which seeks to derive a condition of peace among human beings out of the warlike conditions of a state of nature, at least one thing is clear: people cannot evade the idea of right in their relationships, both public and private, and they do not dare openly to ground politics merely on the manipulations of expediency and thus to reject all obedience to the idea of public right (this is especially striking with international right). By contrast, they allow this concept all the honour inherently due to it, even if they have to dream up a hundred evasions and subterfuges in order to avoid it in practice and assign authority to the shrewd use of force as the origin and unifying element of all right. In order to do away with this sophistry (if not to the injustice which it glosses over) and to bring the false *representatives* of the powerful people in the world to confess that they are not speaking on behalf of *right*, but rather of *might*, whose tone they adopt (just as if in this matter they had the right to give orders), it will be good to lay bare the deception thanks to which people hoodwink themselves and others and to discover the highest principle from which the goal of perpetual peace is derived, thus showing how everything evil that stands in the way of this goal is due to the fact that the political moralist begins where the moral politician rightly ends and, by subordinating principles to an end (that is, putting the cart before the horse), defeats his own purpose of bringing politics and morality into agreement.

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[1] *what is always left ... achieved* [Kant's note] Even though some still may question whether there is a certain wickedness rooted in the human nature of *people* living together in a state and propose instead of that, with some apparent plausibility, that a lack of culture, which has not yet progressed far enough (their crudity) is the cause of the hostility to law that their way of thinking demonstrates, nonetheless, in the external relationships of *states* with each other, such wickedness manifestly and incontestably reveals itself. Within every state, this is concealed by the coercive force of civil law, because the inclination of the citizens to commit reciprocal acts of violence is powerfully offset by a greater force, namely, the government. This not only gives the whole state the appearance of morality (*causae non causae* [a non-cause as the cause]), but also, by clamping down on the outbreak of tendencies hostile to the law, truly makes it much easier for human beings to develop a moral aptitude that leads to an immediate respect for what is right. For every individual believes of himself that he would surely hold the idea of right sacred and truly follow it, if he could only be assured that everyone else would do the same. This assurance is guaranteed for him, in part, by the government, and that constitutes a great step *towards* morality (although it is not yet a moral step)—towards the idea of duty for its own sake, without relying on any thoughts of a return. However, since everyone, with his good opinion of himself, still assumes an evil disposition in all the others, people mutually judge each other as follows: all of them, as a *matter of fact*, are worth little (where this judgment comes from may remain unaccounted for, since it cannot be the fault of the *nature* of man, as a free being). However, since respect for the idea of right, which human beings find impossible to shake off, sanctions in the most solemn way the theory of our capacity to conform to it, so every individual sees that, for his part, he must act in accordance with it, no matter how others may behave.

In order to make practical philosophy internally consistent, we must first of all determine the answer to the following question: In dealing with issues of practical reason, do we have to start from the *material principle* of practical reason—that is, from the *goal* (as an object of free choice)—or from the *formal principle*—that is, the principle (which rests only on freedom in external relations) which states: *Act in such a way that you can will that your maxim should become a universal law*[1] *(whatever the goal may be)*?

There is no doubt that the second principle must come first, for, as a principle of right, it is unconditionally necessary; whereas, the first one is essential only if one assumes that the empirical conditions of the proposed goal are present, that is, that the goal can be achieved. Besides, if this purpose (for example, perpetual peace) were also a duty, then it would have to be derived from the formal principle of the maxims guiding external action. Now, the first principle, the one used by the *political moralist* (dealing with the problem of constitutional, international, and cosmopolitan rights), involves purely *technical tasks* (*problema technicum*). The second, by contrast, as a principle of the *moral politician*, for whom the issue is a *moral task* (*problema morale*), is vastly different from the other in the procedures one uses in order to bring in perpetual peace, which people desire not merely as a physical benefit, but also as a condition arising from an acknowledgment of their duty.

The solution of the first problem, that is, of political expediency, requires considerable knowledge of nature, so that one can use her mechanical system for the end one has in mind, and yet, as far as perpetual peace is concerned, the result of all this knowledge is uncertain. This is the case no matter which of the three categories of public right we select. It is unclear what one should do to keep the people obedient as well as prosperous for a long period of time: Is it better to treat them severely or to feed their vanity? Should sovereign authority be vested in a single individual, or in several leaders acting collectively, or perhaps merely in an aristocracy of government officials [Dienstadel],[2] or in the power of the people within the state? For every form of government, history provides us examples which have had the opposite effect (with the single exception of a genuine republican government, a system which only a moral politician can imagine). Even more uncertain is an *international right* allegedly established on statutes planned by government ministers, for that, in fact, is nothing but empty words. It rests on treaties that, even as they are being ratified, contain a secret reservation—the right to violate them. By contrast, the solution to the second problem—that is, to the issue of *wisdom in the state*—naturally forces itself upon us, so to speak, is obvious to everyone, puts all artificiality to shame, and, in the process, leads directly to the goal. But one needs to remember prudence and not use force to bring it in too quickly, but rather continually draw nearer to it when circumstances are favourable.

This point may be stated as follows: "Seek ye first the kingdom of pure practical reason and its *righteousness*, and then your goal (the blessing of perpetual peace) will come to you on its own." For morality inherently has a unique quality—and this applies to the moral principles of public right (and consequently to a politics that can be known *a priori*), in that the less it makes a person's conduct dependent on his proposed goal, the physical or moral advantage he has in mind, the more it is in general agreement with this end. This comes about precisely because it is the general will (in a people or in the relations of different peoples to each other) given *a priori* that is the sole determinant of what is right among human beings. But if this union of the will of all individuals in practice proceeds consistently and according to the mechanism of nature, it can at the same time be the cause that brings about the effect one is aiming at and effectively realize the idea of right. Thus, it is, for example, a basic principle of moral politics that a people should unite together in a state, in accordance with the only valid ideas of right, those of freedom and equality. This principle is not based on expediency but on duty.

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[1] *Act in such … universal law.* This statement is one formulation of Kant's famous and influential Categorical Imperative, the centerpiece of his moral philosophy (explained in his *Groundwork for the Metaphysics of Morals*). As rational moral beings, no matter what our circumstances or desires, we have an obligation to act in such a way that the precept we use to guide our actions could become a universal law, without thereby creating a contradiction. For Kant, all moral duties stem from this objective rule of reason (rather than from consequences, or prudential maxims, or desires, and so on). Kant is concerned here to stress the primary importance of the rational idea of moral duty (as compared with a morality based upon political expediency).

[2] *Dienstadel* German: nobles of the robe, referring to members of the French nobility who derived their titles from the posts they occupied in the royal government. Nowadays, we might use a phrase such as "an aristocracy made up of civil servants."

Now, political moralists may propose all sorts of counter-arguments involving the natural mechanism of a crowd of people who enter into a society, something that weakens these principles and frustrates their purpose. Or they may seek to prove their assertion with examples of poorly organized constitutions from both ancient and modern times (for example, democracies without a system of representation). But these political moralists do not deserve a hearing, mainly because such a corrupting theory could itself well bring about the evil that it prophesies, for it throws human beings into a class with the other living machines which need only the awareness that they are not free creatures to make them, in their own judgment, the most miserable beings in the world.

The proverbial saying *fiat justitia, pereat mundus* is somewhat overstated, but it is true. We may translate it as follows: "Let justice prevail, even though all the knaves in the world perish in the process."[1] It is a bold principle of right, which cuts off all the crooked pathways indicated by cunning or force. However, we must not misunderstand it as granting permission for someone to pursue his own right with the utmost severity (that would conflict with his ethical duty), but rather interpret it as an obligation laid on those who wield power not to deny or to curtail anyone's right because of unfavourable feelings or sympathy with others. This requires, in particular, an inner political constitution drawn up according to the pure principles of right and then the union of that state with other neighbouring or even distant states (analogous to a universal state) for the legal resolution of their conflicts. This proposition means to suggest nothing more than the following: political maxims must not begin with the prosperity and happiness that a particular state can expect from adhering to them, that is, with the end goal that each state makes the objective (of its will) as the highest (but empirical) principle of political wisdom; instead, such maxims must begin with the pure idea of the duty of right (with the *ought*, whose principle is given *a priori* through pure reason), no matter what the physical consequences of that may be. The world will certainly not perish because the number of wicked people in it is reduced. What is morally evil has, by its very nature, this inseparable characteristic: in its purposes (especially in its relationship with other like-minded people) it is self-contradictory and self-destructive, and so it makes room for the moral principle of goodness, even if such progress is slow.

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Thus, there is *objectively* (in theory) no quarrel at all between morality and politics; whereas, *subjectively* (in the selfish tendency of human beings, which we must not call their moral practice [Praxis], because it is not based on the precepts of reason) such a conflict exists and may well remain forever, because it serves as the whetstone of virtue. In the present case, the true courage of virtue (according to the principle *tu ne cede malis, sed contra audentior ito* [you must not yield to evils but confront them more boldly—Virgil, *Aeneid*, 6.96]) does not consist so much of firmly resolving to face up to the evil and self-sacrifice that one has to take on, but rather of seeing, confronting, and overcoming the far more dangerous, lying, wily, and treacherous evil principle within ourselves, which pretends with sophisticated reasoning to justify all violations of right as a weakness in human nature.

In fact, the political moralist can say that the ruler and the people, or one nation and another, do no wrong *to one another* when they attack each other with force or deceit, although with such actions they generally do wrong by refusing to respect the idea of right, which is the only thing on which perpetual peace could be based. For since one party oversteps his duty with respect to the other one and the latter's feelings are every bit as wrongfully directed against the former, they both fully and rightly deserve what happens when they wear each other out, but in such a way that enough of this contest remains to allow the game to continue to the most remote ages, so that at some point their distant posterity will take their example as a warning.

In having the world operate this way, providence is justified, for the moral principle in human beings is never extinguished, and their reason, which is capable of the pragmatic implementation of ideas of right according to that principle in the process constantly grows stronger through the continuing advance of culture. But with it also grows the guilt for those transgressions. However, if we assume that the human race will not or cannot ever be any better off, then Creation itself—the fact that such corrupt beings should be on earth at all—appears incapable of justification by any theodicy. But this is far too lofty a position for us to judge from, as if we could theoretically apply our ideas of wisdom to a supreme power unknowable to us. We will be inevitably driven to such desperate conclusions, unless we assume that the pure principles of right are objectively real, i.e., that they let themselves be realized, and that thus they must be taken into account, both by those within the state and, beyond that, by states in their relations with each other, no matter what objections empirical politics may raise.

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[1] *Let justice prevail ... process* Kant embellishes on the famous Latin saying, "Let justice prevail, though the world perish."

True politics can thus take no step without previously paying homage to morality. Although politics is indeed an inherently difficult art, nevertheless, uniting politics with morality requires no art at all, for morality cuts the knot which politics is unable to loosen as soon as the two come into conflict. The rights of human beings must be held sacred, no matter how great the sacrifice to the ruling power. We cannot go half way here and dream up a pragmatically conditioned right (between right and utility). Instead all politics must bend the knee before right and, in so doing, can hope to reach a stage, however slowly, where it will always shine.

Appendix II:
On the Unanimity Between Politics and Morality According to the Transcendental Idea of Public Right

When I abstract from all the *materials* of public right (on the basis of the different empirically given relationships of people in a state or of states among themselves), following the customary thinking of professors of law, I am still left with the *Form of Publicity*, whose possibility is inherently contained in every legal claim, since without that there would be no justice (which can only be imagined as something we can *publicly proclaim*) and hence no right either, for right can only be conferred by justice.

Being capable of publication must be a characteristic of every legal claim. And since one can very easily judge whether publicity holds in any particular case that arises, in other words, whether it can be reconciled with the principles of the agent or not, this standard provides a readily applicable criterion that is found *a priori* in reason, so that in a particular case we can immediately recognize the falsity (its opposition to what is right) of the alleged claim (*praetensio iuris*), as if by an experiment of pure reason.[1]

Once we have abstracted from everything empirical contained in the idea of political and international law (such as the viciousness in human nature that makes coercion necessary), we can call the following proposition the *transcendental formulation* of public right:

> *Where the rights of other people are involved, every action whose maxim is not compatible with publicity is unjust.*

One should not look on this principle as merely *ethical* (part of the doctrine of virtue) but also as *juridical* (referring to human rights). For a maxim that I cannot allow to be *openly declared* without in the process also frustrating my own purpose and that I must keep a deep secret if it is to succeed—if I cannot *publicly announce* it, without thereby inevitably prompting everyone's opposition to my proposal—then this necessary and general disagreement of all the others with me, a resistance that is understandable *a priori*, can originate in nothing other than the injustice with which such a maxim threatens everyone. Moreover, this principle of publicity is merely *negative*, in other words it serves only as a means by which we can recognize what is *not right* concerning others. Like an axiom, its certainty cannot be demonstrated. In addition, it is easy to apply, as we can see from the following examples of public right.

1. *In the matter of political right* (*ius civitatis*)—that is, matters within the state—the following question arises, which many people consider difficult to answer and which the transcendental principle of publicity resolves quite easily: "Is rebellion a legitimate way for people to throw off the oppressive power of a so-called tyrant (*non titulo sed exercitio talis* [not in title but in the way he acts])?" The rights of the people have been injured, and to usurp the tyrant would not be a violation of his rights. Of that there is no doubt. Nonetheless, it is in the highest degree wrong for the subjects to seek their rights in this manner, and, if they were defeated in the conflict and later had to suffer the harshest punishment because of their rebellion, they would have even less justification for complaining about injustice.

Now, one can make many subtle arguments here for and against, if one wants to settle the matter with the dogmatic deduction of principles of right. But by itself the transcendental principle of the publicity of public right can spare us a long-winded discussion. In applying this principle, the people ask themselves, before drawing up the civil contract, whether they would dare to make publicly known the maxim of their intention to rebel at certain times. We can readily see that if, while establishing a state constitution, we wanted to set the condition that in certain circumstances force could be used against the ruling power, then the people must be arrogating to itself a legitimate power over the sovereign. But in that case, he would not be the head of state or, if both of these clauses were made conditions for the establishment of a state, then creating a state would be impossible, even though that was what the people were proposing.

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[1] *pure reason* Reason that is *a priori*, that is, not based on anything empirical.

The injustice of rebellion is thus illuminated by the fact that its maxim, if we were to *openly publicize* it, would make its own purpose impossible. We would of necessity have to keep it a secret. But this secret would simply not be necessary on the part of the ruler of the state. He can freely proclaim that in every rebellion the leaders of the insurrection will be punished with death, even if these ringleaders believe that he was the first to violate fundamental laws. For if the ruler is aware that he possesses *irresistible* power (and we must assume this in any civil constitution, because any sovereign who does not possess sufficient power to protect an individual member of the people against another also has no right to give him orders), he need not worry about frustrating his own purposes by the publication of his maxim. It is also entirely consistent with this position that, if the popular rebellion succeeds, the sovereign move back to the status of a subject. Thus he is not entitled to initiate any uprising to restore his rule, but he also need have no fear of being legally summoned to account for his previous administration.

2. *Matters concerning international right*: One can talk about international right only if one assumes that some sort of law-governed situation is in place (that is, the external condition under which a person can truly be given a right), because, as a public right, the very idea of it already entails the publication of a common will that assigns to each state its individual rights, and this *status iuridicus* [legal status] must arise out of some sort of contract, which cannot be based on compulsory laws (like the contract that gives birth to a state), but which can at most rest on a *continuing free association*, like the above-mentioned federation of different states. For in a state of nature, a situation that lacks any form of *law-giving* to connect the different (physical or moral) individuals effectively, there can be nothing other than a merely private right. And here again a conflict arises between politics and morality (if we consider morality as the doctrine of right), a dispute where we can easily apply the criterion of the publicity of maxims, but only in such a way that the contract binds the states with the sole intention of keeping the peace among them and between them and other states, but not in any way with a view to acquiring new possessions. I offer here the following examples of conflicts between politics and morality, along with their solutions.

> (a) "When one of these states has promised something to another state, for example, to provide assistance, or to transfer certain lands, or to give subsidies, and so on, the question is whether in a particular case where the welfare of the first state is involved, the ruling power can break its promise by claiming it must be regarded as a double person, first, as a *sovereign*, since it is not answerable to anyone in its own state, but then, second, merely as the highest *official of the state*, who must be accountable to the state, and then by concluding that any obligations it had assumed in the first capacity as a sovereign it can set aside in its second capacity as a state's official." But if a state (or its sovereign) were to let its maxims be publicized, then naturally every other state would either run away from it or else unite itself with others to resist its presumptuousness. That demonstrates how, by applying this principle of publicity, politics, for all its cunning tricks, would thwart its own purpose, and so the maxim quoted above must be unjust.
>
> (b) "If a neighbouring power has grown so large that it has become formidable (*potentia tremenda*) and arouses concern, can one assume that because it *is able* to oppress others it also *desires* to do so, and does that give those states with less power a right to a united attack against it, even without some previous offence?" A state that wanted *publicly* to affirm this as its maxim would only bring about the evil even more surely and quickly. For the greater power would anticipate the smaller ones, and, as far as the alliance of those weaker

> states is concerned, that is only a weak reed against someone who understands how to use the precept *divide et impera* [divide and conquer]. This maxim of political expediency, once openly announced, thus necessarily frustrates its own purpose and, as a result, is unjust.
>
> (c) "If a smaller state by its location divides the continuity of a larger state, which needs this continuity for its own preservation, is the larger state not justified in overwhelming the smaller state and uniting their two territories?" It is easy to see that the greater state must not let such a maxim become publicly known in advance. For then, either the smaller states would combine beforehand, or other powers would compete for this prize. Hence, publicizing the maxim would make it unworkable, and this would indicate that the precept is unjust. Indeed, it could rank very high on the scale of injustice. For the fact that the object of injustice is small does not prevent the manifest injustice done to it from being very great.

3. *So far as cosmopolitan right* is concerned, I will pass over this subject in silence, since the analogy between it and international law makes its maxims easy to state and evaluate.

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So now with the principle of the incompatibility of the maxims of international law with publicity we have a good benchmark for the *lack of agreement* between politics and morality (as a doctrine of right). But we also need to be instructed about the condition under which the maxims of politics agree with the right of nations. For we are not permitted to draw the reverse conclusion that because the maxims are compatible with the principle of publicity they are for that reason also just, since whoever has a decisive sovereign power does not have to keep quiet about his maxims. The condition that makes international law at all possible is this: first of all, a *law-governed condition* must be in place. For without this there is no public right, and the only right that we can imagine where there is no public right (in a state of nature) is merely private right. Now, we have seen above that a situation where there is a federation of states that is directed only at preventing war is the only *legal* condition compatible with the *freedom* of these states. Thus, the agreement between politics and morality is possible only in a federated union (which is also, according to the principles of right, established *a priori* and is essential), and all political expediency derives the basis of its legitimacy from the creation of such a federation to the greatest possible extent. Without that goal, all its political cleverness is sophistry and concealed injustice. Now, this sham politics has its own *casuistry*, which puts the best Jesuit schools to shame—that is, the *reservatio mentalis* [mental reservation]. For in drawing up public contracts, it employs certain expressions that one can interpret to one's own advantage when the occasion presents itself, if that is what one wishes to do (for example, using the difference between the *status quo de fait* and *de droit* [the status quo in fact and in right]). It also invokes the doctrine of *Probabilism* [Probabilismus][1] to fabricate evil intentions which it attributes to others, or it even makes the probability of their possible predominance a justifiable ground for undermining other peaceful states. Finally, it has its *peccatum philosophicum* [philosophical sin] (peccadillo, bagatelle), when it claims that swallowing up a *small* state should be a readily pardonable triviality, if it works to the advantage of a much *greater* state, an action which allegedly benefits the entire world.[2]

Duplicity in these matters encourages politics, when dealing with morality, to use one or other branches of morality to pursue its own purposes. Both the love of our fellow human beings and respect for their *rights* are duties. But the former is only a *conditional* duty; whereas the latter is an *unconditional* duty, which is absolutely binding. And anyone who wants to surrender to the sweet feeling of doing good must first be completely confident that he has not violated what is right. Politics is easy to reconcile with morality in the first sense (as ethics) so that human beings surrender their rights to those with sovereign power over them. But with the second branch of morality (as a doctrine of right), before which politics must bend its knees, politics finds it advisable to have nothing whatsoever to do with contracts and prefers to deny morality all reality and to interpret all duties as nothing but good will. Philosophy would easily frustrate the duplicity of shady politics by publicizing its maxims, if politics were only willing to have the courage to allow the philosopher a chance to make his own views known.

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[1] *Probabilism* A theory claiming that certainty is unattainable and therefore one is justified in doing or acting on what is probable.

[2] *swallowing up … entire world* [Kant's note] One can find evidence for such maxims in Hofrat Garve's treatise "Concerning the Union of Morality and Politics, 1788." This worthy scholar concedes at the outset that he cannot give a satisfactory answer to this question. But nonetheless, his approval of such maxims, even with the admission that he is unable completely to remove the arguments raised against them, seems to be an even greater concession to those who would be very inclined to misuse them than it is perhaps advisable to allow. [Christian Garve (1742–98) was a contemporary philosopher; *Hofrat* is the title of a civic official.]

With this purpose in mind, I offer another transcendental and affirmative principle of public right, whose formulation would be as follows:

> *All maxims that require publicity (in order not to miss their goal) are in agreement with right and with politics.*

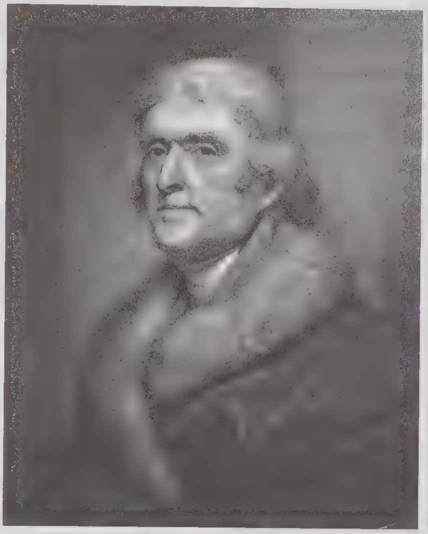
For if they can attain their end only when they are publicized, then they must be consistent with the universal public goal (happiness), and it is the essential business of politics to be in agreement with this (to make members of the public satisfied with their condition). However, if this goal is to be attained *merely* by publicity, that is, through the distancing of all mistrust for the maxims politics uses, then these maxims must be in harmony with the rights of the public, for this is the only condition that makes a unity of ends possible for everyone. I must postpone to another time a further explanation and discussion of this principle, but one can appreciate that this is a transcendental formulation because all the empirical conditions (of a doctrine of happiness)—the material facts of the law—have been removed and it is concerned only with the form of universal legality.

* * *

If it is our duty to realize a condition of public right and if, at the same time, there are grounds for hope we can achieve that, although only by an endless progress that takes us closer to it, then *perpetual peace*, which follows what have so far been falsely called peace treaties (which are really truces suspending hostilities), is not an empty idea, but a task that is gradually resolving itself and is always coming nearer to its goal (because the time it takes to make equal advances will, one hopes, grow shorter and shorter).

THOMAS JEFFERSON
(1743 – 1826)

Jefferson was born in Shadwell, Virginia, on April 13, 1743. He was the third of ten children born to plantation owners. At the age of fourteen, Jefferson inherited 5000 acres of land when his father died of a sudden illness at the age of forty-nine. From age sixteen to eighteen Jefferson attended the College of William and Mary, where he studied philosophy and mathematics. By the time he ended his studies there, he also had mastered French, Greek, and Latin. He then studied law, and was admitted to the bar in Virginia at the age of twenty-four. He worked in Virginia as a lawyer and in several positions in local and state governments from 1767 to 1774. Jefferson gained a wider reputation in 1774 when he published "A Summary View of the Rights of British America." In it he argued that loyalty to the King was voluntary and that the colonies had the right to become independent of his rule.



By the middle of 1775 the American colonies were at war with England. On June 11, 1776, members of the Second Continental Congress chose Jefferson to write *The Declaration of Independence*. With only minor alterations, it was adopted on July 4, 1776. During the revolutionary war Jefferson served as a legislator in Virginia before becoming Governor of that state. After the war, Jefferson became Minister to France, Secretary of State, Vice President, and finally President of the United States (1801–09). After leaving office Jefferson continued to be active in public life, most notably founding the University of Virginia in 1819. Thomas Jefferson died at the age of 83 on July 4, 1826, the fiftieth anniversary of *The Declaration of Independence*.

Inspired in part by the writings of philosophers such as John Locke and Jean-Jacques Rousseau, *The Declaration of Independence* comprises a straightforward statement of political ideals, accompanied by a series of complaints against King George III. Composed in simple prose, it was criticized by some of Jefferson's contemporaries as insufficiently eloquent for such an important document. In a letter written shortly before his death, Jefferson defended its style: "Neither aiming at originality of principle or sentiment, nor yet copied from any particular and previous writing, it was intended to be an expression of the American mind ... in terms so plain and firm as to command their assent."

Jefferson expressed democratic ideals through this document in a concise form that has continued to resonate both within the United States and outside it; the *Declaration*'s formulation of principles of political and human rights has been an inspiration and a model for many nations around the world as they too threw off the reins of former colonial masters.

◆ ◆ ◆ ◆ ◆

The Declaration of Independence [as amended and adopted in Congress], July 4, 1776

The unanimous declaration of the thirteen United States of America

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station[1] to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

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[1] *station* Standing, position, status.

We hold these truths to be self-evident: That all men are created equal; that they are endowed by their creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its power in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations,[1] pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance[2] of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws, the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and, when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts; of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining, in the mean time, exposed to all the dangers of invasions from without and convulsions within.

He has endeavored to prevent the population of these states; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices,[3] and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our legislatures.

He has affect to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws, giving his assent to their acts of pretended legislation:

> For quartering large bodies of armed troops among us;
>
> For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states;
>
> For cutting off our trade with all parts of the world;
>
> For imposing taxes on us without our consent;
>
> For depriving us, in many cases, of the benefits of trial by jury;

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[1] *usurpations* Seizures without right.

[2] *sufferance* Endurance.

[3] *tenure of their offices* Getting and keeping of their positions.

> For transporting us beyond seas, to be tried for pretended offenses;
>
> For abolishing the free system of English laws in a neighboring province,[1] establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies;
>
> For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments;
>
> For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government[2] here, by declaring us out of his protection and waging war against us.

He has plundered our seas, ravaged our coasts, burned our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny already begun with circumstances of cruelty and perfidy[3] scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrection among us, and has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in our attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an unwarrantable[4] jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity; and we have conjured[5] them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence.[6] They, too, have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces[7] our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

We, therefore, the representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies, solemnly publish and declare, that these United Colonies are, and of right ought to be, FREE AND INDEPENDENT STATES, that they are absolved from[8] all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; and that, as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and do all other acts and things which independent states may of right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

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[1] *neighboring province* Canada.

[2] *abdicated government* Neglected to govern.

[3] *perfidy* Treachery, deceit.

[4] *unwarrantable* Unjustifiable.

[5] *conjured* Begged.

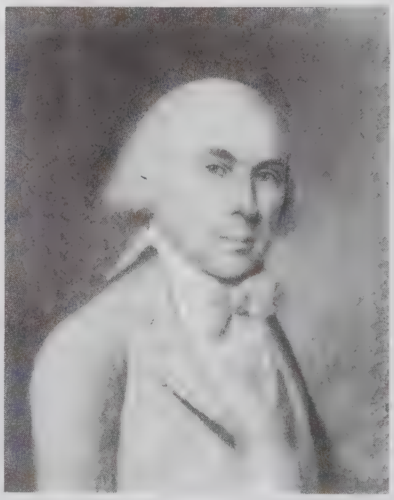
[6] *correspondence* Relations.

[7] *denounces* Formally announces.

[8] *absolved from* Relieved of obligation regarding.

ALEXANDER HAMILTON
(1755 – 1804)
and
JAMES MADISON
(1751 – 1836)

Between October 27, 1787 and May 28, 1788 a series of eighty-five essays, collectively known as *The Federalist Papers* was published. They were originally published under the pen name "Publius" in honor of Roman consul Publius Valerius Publicola (d. 503 BCE), whose surname means "friend of the people." They were actually written by three men—Alexander Hamilton, James Madison, and John Jay. Each man made significant contributions to the United States in its infancy: Hamilton was the first Secretary of the Treasury, Madison the fourth President of the United States, and Jay the first Chief Justice of the Supreme Court. It is particularly as a result of their status as "founding fathers" of the United States that the views they advanced in *The Federalist Papers* continue to be extremely important in contemporary American constitutional scholarship.


James Madison

Alexander Hamilton was born and raised in the West Indies. He was an illegitimate child whose father abandoned him and whose mother was jailed for adultery before her early death (when Hamilton was thirteen). Hamilton became a success in business before moving to New York at age seventeen to attend school. He quickly became sympathetic to colonial grievances against Britain, eventually coming to work for George Washington in 1777. Hamilton was a military leader during the revolutionary war and became a legislator in various capacities afterward. He wrote 51 of the 85 articles that comprise *The Federalist Papers* (including articles number 9 and 78), a series of articles presenting arguments in support of ratifying the proposed constitution. From 1789 to 1795 Hamilton served as Secretary of the Treasury, and in the last decade of his life he continued to be an influential political figure. He died as a result of a gunshot wound he received in a duel with Vice President Aaron Burr.

James Madison spent his childhood on the successful plantation his father owned in Virginia. He was educated at Princeton University and then entered public life, where he worked closely with Thomas Jefferson. Madison led the campaign to ratify the Constitution in Virginia. He wrote 29 of *The Federalist Papers* (including articles number 10 and 51), to support that cause.[1] After the Constitution was adopted, Madison, as a member of Congress, proposed ten amendments that have come to be known collectively as the American Bill of Rights. In 1809, Madison was elected President; he served in that role for eight years. Following his Presidency, Madison devoted his time to running his plantation and working for the University of Virginia. He died the day before what would have been his eighty-fifth birthday.

The battle over ratification of the Constitution of the United States was a war of words that was fought both in elected assemblies and in the newspapers of the day. In 1787 prominent politicians using the pen names "Cato" and "Brutus" began writing columns in opposition to ratification. Hamilton, Madison, and Jay responded by writing and publishing articles in support. They argued for the importance of a federal union (as opposed to a confederation or a collection of independent states) to the economic and political development of the newly independent colonies. They also argued that the specific provisions of the proposed constitution best served those ends. They warned against the oppressive powers of sectarianism and advocated a strong constitutional union to protect all individuals. They further argued that "checks and balances" of one arm of government by others would provide the best protection against the abuses of power. Additionally, they set out the principles according to which the role of the judiciary had been defined by the constitution.

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[1] The author of the remaining five *Federalist Papers*, none of which is included here, was John Jay.

The Federalist Papers are acknowledged as vitally important aids in interpreting the provisions of the American constitution; they continue to be cited as important touchstones by the Supreme Court of the United States in rendering decisions, and by leading politicians and political writers in discussing current political issues. The "founders' intent" behind the various articles of the constitution continues to be regarded by many as fundamental to issues over their implementation today, and *The Federalist Papers* offer an important window into the thoughts of those who created and originally enacted these articles.

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The Federalist No. 9

Alexander Hamilton

from *The Independent Journal*, November 21, 1787. This essay appeared on the same day in *The Daily Advertiser* and on November 23 in *The New-York Packet*.

To the People of the State of New York.

A Firm Union will be of the utmost moment[1] to the peace and liberty of the States as a barrier against domestic faction and insurrection. It is impossible to read the history of the petty Republics of Greece and Italy, without feeling sensations of horror and disgust at the distractions with which they were continually agitated, and at the rapid succession of revolutions, by which they were kept in a state of perpetual vibration, between the extremes of tyranny and anarchy. If they exhibit occasional calms, these only serve as short-lived contrasts to the furious storms that are to succeed. If now and then intervals of felicity[2] open themselves to view, we behold them with a mixture of regret arising from the reflection that the pleasing scenes before us are soon to be overwhelmed by the tempestuous waves of sedition[3] and party-rage. If momentary rays of glory break forth from the gloom, while they dazzle us with a transient and fleeting brilliancy, they at the same time admonish us to lament that the vices of government should pervert the direction and tarnish the luster of those bright talents and exalted endowments, for which the favored soils, that produced them, have been so justly celebrated.

From the disorders that disfigure the annals of those republics, the advocates of despotism have drawn arguments, not only against the forms of republican government, but against the very principles of civil liberty. They have decried all free government, as inconsistent with the order of society, and have indulged themselves in malicious exultation over its friends and partisans.[4] Happily for mankind, stupendous fabrics reared on the basis of liberty, which have flourished for ages, have in a few glorious instances refuted their gloomy sophisms.[5] And, I trust, America will be the broad and solid foundation of other edifices not less magnificent, which will be equally permanent monuments of their errors.

But it is not to be denied that the portraits, they have sketched of republican government, were too just[6] copies of the originals from which they were taken. If it had been found impracticable, to have devised models of a more perfect structure, the enlightened friends to liberty would have been obliged to abandon the cause of that species of government as indefensible. The science of politics, however, like most other sciences has received great improvement. The efficacy of various principles is now well understood, which were either not known at all, or imperfectly known to the ancients. The regular distribution of power into distinct departments—the introduction of legislative balances and checks—the institution of courts composed of judges, holding their offices during good behavior—the representation of the people in the legislature by deputies of their own election—these are either wholly new discoveries or have made their principal progress towards perfection in modern times. They are means, and powerful means, by which the excellencies of republican government may be retained and its imperfections lessened or avoided; To this catalogue of circumstances, that tend to the amelioration[1] of popular systems of civil government, I shall venture, however novel it may appear to some, to add one more on a principle, which has been made the foundation of an objection to the New Constitution, I mean the ENLARGEMENT of the ORBIT within which such systems are to revolve either in respect to the dimensions of a single State, or to the consolidation of several smaller States into one great confederacy. The latter is that which immediately concerns the object under consideration. It will however be of use to examine the principle in its application to a single State which shall be attended to in another place.[2]

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[1] *moment* Importance.

[2] *felicity* Happiness.

[3] *sedition* Rebellion against the government.

[4] *partisans* Strong supporters.

[5] *sophisms* Flawed reasoning.

[6] *just* Correct.

The utility of a confederacy, as well to suppress faction and to guard the internal tranquility of States, as to increase their external force and security, is in reality not a new idea. It has been practiced upon in different countries and ages, and has received the sanction of the most applauded writers, on the subjects of politics. The opponents of the PLAN proposed have with great assiduity[3] cited and circulated the observations of Montesquieu on the necessity of a contracted territory for a republican government. But they seem not to have been apprised[4] of the sentiments of that great man expressed in another part of his work, nor to have adverted[5] to the consequences of the principle to which they subscribe, with such ready acquiescence.[6]

When Montesquieu recommends a small extent for republics, the standards he had in view were of dimensions, far short of the limits of almost every one of these States. Neither Virginia, Massachusetts, Pennsylvania, New-York, North-Carolina, nor Georgia, can by any means be compared with the models, from which he reasoned and to which the terms of his description apply. If we therefore take his ideas on this point, as the criterion of[7] truth, we shall be driven to the alternative, either of taking refuge at once in the arms of monarchy, or of splitting ourselves into an infinity of little jealous, clashing, tumultuous commonwealths, the wretched nurseries of unceasing discord and the miserable objects of universal pity or contempt. Some of the writers, who have come forward on the other side of the question, seem to have been aware of the dilemma; and have even been bold enough to hint at the division of the larger States, as a desirable thing. Such an infatuated[8] policy, such a desperate expedient, might, by the multiplication of petty offices, answer the views of men, who possess not qualifications to extend their influence beyond the narrow circles of personal intrigue, but it could never promote the greatness or happiness of the people of America.

Referring the examination of the principle itself to another place,[9] as has been already mentioned, it will be sufficient to remark here, that in the sense of the author who has been most emphatically quoted upon the occasion, it would only dictate a reduction of the SIZE of the more considerable MEMBERS of the Union; but would not militate against their being all comprehended in one Confederate Government. And this is the true question, in the discussion of which we are at present interested.

So far are the suggestions of Montesquieu from standing in opposition to a general Union of the States, that he explicitly treats of a CONFEDERATE REPUBLIC as the expedient for extending the sphere of popular government and reconciling the advantages of monarchy with those of republicanism.

"It is very probable (says he[10]) that mankind would have been obliged, at length, to live constantly under the government of a SINGLE PERSON, had they not contrived a kind of constitution, that has all the internal advantages of a republican, together with the external force of a monarchial government. I mean a CONFEDERATE REPUBLIC.

"This form of Government is a Convention, by which several smaller *States* agree to become members of a larger *one*, which they intend to form. It is a kind of assemblage of societies, that constitute a new one, capable of increasing by means of new associations, till they arrive to such a degree of power as to be able to provide for the security of the united body.

"A republic of this kind, able to withstand an external force, may support itself without any internal corruption. The form of this society prevents all manner of inconveniencies.

"If a single member should attempt to usurp the supreme authority, he could not be supposed to have an equal authority and credit, in all the confederate states. Were he to have too great influence over one, this would alarm the rest. Were he to subdue a part, that which would still remain free might oppose him with forces, independent of those which he had usurped, and overpower him before he could be settled in his usurpation.

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[1] *amelioration* Betterment.

[2] *in another place* See Essays 10 and 14.

[3] *assiduity* Care.

[4] *apprised* Informed.

[5] *adverted* Referred.

[6] *acquiescence* Agreement.

[7] *criterion of* Standard for.

[8] *infatuated* Irrational, foolish.

[9] *to another place* See Essays 10 and 14.

[10] *says he* [Publius' note] *Spirit of Laws*, Vol. 1, Book 9. Chapter 1.

"Should a popular insurrection happen, in one of the confederate States, the others are able to quell it. Should abuses creep into one part, they are reformed by those that remain sound. The State may be destroyed on one side, and not on the other; the confederacy may be dissolved, and the confederates preserve their sovereignty.

"As this government is composed of small republics it enjoys the internal happiness of each, and with respect to its external situation it is possessed, by means of the association of all the advantages of large monarchies."

I have thought it proper to quote at length these interesting passages, because they contain a luminous abridgement[1] of the principal arguments in favor of the Union, and must effectually remove the false impressions, which a misapplication of other parts of the work was calculated to produce. They have at the same time an intimate connection with the more immediate design of this Paper; which is to illustrate the tendency of the Union to repress domestic faction and insurrection.

A distinction, more subtle than accurate has been raised between a *confederacy* and a *consolidation* of the States. The essential characteristic of the first is said to be, the restriction of its authority to the members in their collective capacities, without reaching to the individuals of whom they are composed. It is contended that the national council ought to have no concern with any object of internal administration. An exact equality of suffrage[2] between the members has also been insisted upon as a leading feature of a Confederate Government. These positions are in the main arbitrary; they are supported neither by principle nor precedent. It has indeed happened that governments of this kind have generally operated in the manner, which the distinction, taken notice of, supposes to be inherent in their nature—but there have been in most of them extensive exceptions to the practice, which serve to prove as far as example will go, that there is no absolute rule on the subject. And it will be clearly shown, in the course of this investigation, that as far as the principle contended[3] for has prevailed, it has been the cause of incurable disorder and imbecility in the government.

The definition of a *Confederate Republic* seems simply to be, an "assemblage of societies" or an association of two or more States into one State. The extent, modifications and objects of the Federal authority are mere matters of discretion.[4] So long as the separate organization of the members be not abolished, so long as it exists by a constitutional necessity for local purposes, though it should be in perfect subordination[5] to the general authority of the Union, it would still be, in fact and in theory, an association of States, or a confederacy. The proposed Constitution, so far from implying an abolition of the State Governments, makes them constituent parts of the national sovereignty by allowing them a direct representation in the Senate, and leaves in their possession certain exclusive and very important portions of sovereign power. This fully corresponds, in every rational import of the terms, with the idea of a Federal Government.

In the Lycian confederacy,[6] which consisted of twenty three CITIES or republics, the largest were entitled to *three* votes in the COMMON COUNCIL, those of the middle class to *two* and the smallest to *one*. The COMMON COUNCIL had the appointment of all the judges and magistrates of the respective CITIES. This was certainly the most delicate species of interference in their internal administration; for if there be any thing, that seems exclusively appropriated to the local jurisdictions, it is the appointment of their own officers. Yet Montesquieu, speaking of this association, says "Were I to give a model of an excellent confederate republic, it would be that of Lycia." Thus we perceive that the distinctions insisted upon were not within the contemplation of this enlightened civilian, and we shall be led to conclude that they are the novel refinements of an erroneous theory.

PUBLIUS.

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[1] *abridgement* Summary.

[2] *suffrage* Right to vote.

[3] *contended* Argued.

[4] *discretion* Free decision—that is, decision as is seen fit.

[5] *in perfect subordination* Completely subject to.

[6] *Lycian confederacy* The Lycian League, a federation of several states in what is now Turkey, founded around 150 BCE and lasting several centuries, was the world's first federal republic; it was of great interest to Enlightenment and especially early American political theorists.

The Federalist No. 10

James Madison
November 22, 1787

from *The Daily Advertiser,* November 22, 1787. This essay appeared in *The New-York Packet* on November 23 and in *The Independent Journal* on November 24.

To the People of the State of New York.

Among the numerous advantages promised by a well constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction.[1] The friend of popular governments, never finds himself so much alarmed for their character and fate, as when he contemplates their propensity to this dangerous vice. He will not fail therefore to set a due value on any plan which, without violating the principles to which he is attached, provides a proper cure for it. The instability, injustice and confusion introduced into the public councils, have in truth been the mortal diseases under which popular governments have every where perished; as they continue to be the favorite and fruitful topics from which the adversaries to liberty derive their most specious[2] declamations.[3] The valuable improvements made by the American Constitutions on the popular models, both ancient and modern, cannot certainly be *too* much admired; but it would be an unwarrantable partiality,[4] to contend that they have as effectually obviated[5] the danger on this side as was wished and expected. Complaints are every where heard from our most considerate and virtuous citizens, equally the friends of public and private faith, and of public and personal liberty; that our governments are *too* unstable; that the public good is disregarded in the conflicts of rival parties; and that measures are too often decided, not according to the rules of justice, and the rights of the minor party;[6] but by the superior force of an interested[7] and over-bearing majority. However anxiously we may wish that these complaints had no foundation, the evidence of known facts will not permit us to deny that they are in some degree true. It will be found indeed, on a candid review of our situation, that some of the distresses under which we labor, have been erroneously charged on the operation of our governments; but it will be found, at the same time, that other causes will not alone account for many of our heaviest misfortunes; and particularly, for that prevailing and increasing distrust of public engagements, and alarm for private rights, which are echoed from one end of the continent to the other. These must be chiefly, if not wholly, effects of the unsteadiness and injustice, with which a factious spirit has tainted our public administrations.

By a faction I understand a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated[8] by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community. There are two methods of curing the mischiefs[9] of faction: the one, by removing its causes; the other, by controlling its effects. There are again two methods of removing the causes of faction: the one by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests. It could never be more truly said than of the first remedy, that it is worse than the disease. Liberty is to faction, what air is to fire, an aliment[10] without which it instantly expires. But it could not be a less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency. The second expedient is as impracticable, as the first would be unwise. As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal[11] influence on each other; and the former will be objects to which the latter will attach themselves. The diversity in the faculties of men from which the rights of property originate, is not less an insuperable[12] obstacle to a uniformity of interests. The protection of these faculties is the first object of Government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results: and from the influence of these on the sentiments[1] and views of the respective proprietors,[2] ensues a division of the society into different interests and parties. The latent causes of faction are thus sown in the nature of man; and we see them every where brought into different degrees of activity, according to the different circumstances of civil society. A zeal for different opinions concerning religion, concerning Government and many other points, as well of speculation as of[3] practice; an attachment to different leaders ambitiously contending for pre-eminence and power; or to persons of other descriptions whose fortunes have been interesting to the human passions, have in turn divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other, than to co-operate for their common good. So strong is this propensity of mankind to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions, and excite their most violent conflicts. But the most common and durable source of factions, has been the various and unequal distribution of property. Those who hold, and those who are without property, have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a monied interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern Legislation, and involves the spirit of party and faction in the necessary and ordinary operations of Government.

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[1] *faction* Conflict within.
[2] *specious* Attractive, but false.
[3] *declamations* Public rhetoric.
[4] *unwarrantable partiality* Unjustifiable bias.
[5] *obviated* Anticipated and avoided.
[6] *minor party* Minority group.
[7] *interested* Having a concern for their own advantage or disadvantage.
[8] *actuated* Moved to action.
[9] *mischiefs* Harms.
[10] *aliment* Something that sustains.
[11] *reciprocal* Produced by each side.
[12] *insuperable* Impossible to overcome.

No man is allowed to be a judge in his own cause; because his interest would certainly bias his judgment, and, not improbably, corrupt his integrity. With equal, nay with greater reason, a body of men, are unfit to be both judges and parties, at the same time; yet, what are many of the most important acts of legislation, but so many judicial determinations, not indeed concerning the rights of single persons, but concerning the rights of large bodies of citizens; and what are the different classes of legislators, but advocates and parties to the causes which they determine? Is a law proposed concerning private debts? It is a question to which the creditors are parties on one side, and the debtors on the other. Justice ought to hold the balance between them. Yet the parties are and must be themselves the judges; and the most numerous party, or, in other words, the most powerful faction must be expected to prevail. Shall domestic manufactures be encouraged, and in what degree, by restrictions on foreign manufactures? are questions which would be differently decided by the landed and the manufacturing classes; and probably by neither, with a sole regard to justice and the public good. The apportionment of taxes on the various descriptions of property, is an act which seems to require the most exact impartiality; yet, there is perhaps no legislative act in which greater opportunity and temptation are given to a predominant party, to trample on the rules of justice. Every shilling[4] with which they over-burden the inferior number, is a shilling saved to their own pockets.

It is in vain to say, that enlightened statesmen will be able to adjust these clashing interests, and render them all subservient to the public good. Enlightened statesmen will not always be at the helm: Nor, in many cases, can such an adjustment be made at all, without taking into view indirect and remote considerations, which will rarely prevail over the immediate interest which one party may find in disregarding the rights of another, or the good of the whole. The inference to which we are brought, is, that the *causes* of faction cannot be removed; and that relief is only to be sought in the means of controlling its *effects.*

If a faction consists of less than a majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister[5] views by regular vote: It may clog the administration, it may convulse[6] the society; but it will be unable to execute and mask its violence under the forms of the Constitution. When a majority is included in a faction, the form of popular government on the other hand enables it to sacrifice to its ruling passion or interest, both the public good and the rights of other citizens. To secure the public good, and private rights, against the danger of such a faction, and at the same time to preserve the spirit and the form of popular government, is then the great object to which our enquiries are directed: Let me add that it is the great desideratum,[1] by which alone this form of government can be rescued from the opprobrium[2] under which it has so long labored, and be recommended to the esteem and adoption of mankind.

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[1] *sentiments* Feelings, opinions.

[2] *proprietors* Owners.

[3] *as well of … as of* Involving both … and.

[4] *Every shilling* A shilling is a now-defunct currency denomination; "every shilling" means "every cent."

[5] *sinister* Unfavorable, threatening.

[6] *convulse* Cause extreme disruption in.

By what means is this object attainable? Evidently by one of two only. Either the existence of the same passion or interest in a majority at the same time, must be prevented; or the majority, having such co-existent passion or interest, must be rendered, by their number and local situation, unable to concert[3] and carry into effect schemes of oppression. If the impulse and the opportunity be suffered[4] to coincide, we well know that neither moral nor religious motives can be relied on as an adequate control. They are not found to be such on the injustice and violence of individuals, and lose their efficacy in proportion to the number combined together; that is, in proportion as their efficacy becomes needful.

From this view of the subject, it may be concluded, that a pure Democracy, by which I mean, a Society, consisting of a small number of citizens, who assemble and administer the Government in person, can admit of no cure for the mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole; a communication and concert results from the form of Government itself; and there is nothing to check the inducements to sacrifice the weaker party, or an obnoxious individual. Hence it is, that such Democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security, or the rights of property; and have in general been as short in their lives, as they have been violent in their deaths. Theoretic politicians, who have patronized[5] this species of Government, have erroneously supposed, that by reducing mankind to a perfect equality in their political rights, they would, at the same time, be perfectly equalized and assimilated in their possessions, their opinions, and their passions.

A Republic, by which I mean a Government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking. Let us examine the points in which it varies from pure Democracy, and we shall comprehend both the nature of the cure, and the efficacy which it must derive from the Union.

The two great points of difference between a Democracy and a Republic are, first, the delegation of the Government, in the latter, to a small number of citizens elected by the rest: secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended.

The effect of the first difference is, on the one hand to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice, will be least likely to sacrifice it to temporary or partial[6] considerations. Under such a regulation, it may well happen that the public voice pronounced by the representatives of the people, will be more consonant to[7] the public good, than if pronounced by the people themselves convened for the purpose. On the other hand, the effect may be inverted. Men of factious tempers, of local prejudices, or of sinister designs, may by intrigue, by corruption or by other means, first obtain the suffrages,[8] and then betray the interests of the people. The question resulting is, whether small or extensive Republics are most favorable to the election of proper guardians of the public weal:[9] and it is clearly decided in favor of the latter by two obvious considerations.

In the first place it is to be remarked that however small the Republic may be, the Representatives must be raised to a certain number, in order to guard against the cabals[10] of a few; and that however large it may be, they must be limited to a certain number, in order to guard against the confusion of a multitude. Hence the number of Representatives in the two cases, not being in proportion to that of the Constituents, and being proportionally greatest in the small Republic, it follows, that if the proportion of fit characters, be not less, in the large than in the small Republic, the former will present a greater option, and consequently a greater probability of a fit choice.

In the next place, as each Representative will be chosen by a greater number of citizens in the large than in the small Republic, it will be more difficult for unworthy candidates to practice with success the vicious arts, by which elections are too often carried; and the suffrages of the people being more free, will be more likely to center on men who possess the most attractive merit, and the most diffusive[1] and established characters.

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[1] *desideratum* That which is desired.

[2] *opprobrium* Shame, disgrace.

[3] *concert* Settle by discussion and mutual consent.

[4] *suffered* Allowed.

[5] *patronized* Supported.

[6] *partial* Biased.

[7] *consonant to* In harmony with.

[8] *suffrages* Votes.

[9] *weal* Well-being.

[10] *cabals* Secret plots.

It must be confessed, that in this, as in most other cases, there is a mean, on both sides of which inconveniencies[2] will be found to lie. By enlarging too much the number of electors, you render the representative too little acquainted with all their local circumstances and lesser interests; as by reducing it too much, you render him unduly attached to these, and too little fit to comprehend and pursue great and national objects. The Federal Constitution forms a happy combination in this respect; the great and aggregate interests being referred to the national, the local and particular, to the state legislatures.

The other point of difference is, the greater number of citizens and extent of territory which may be brought within the compass of Republican, than of Democratic Government; and it is this circumstance principally which renders factious combinations less to be dreaded in the former, than in the latter. The smaller the society, the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily will they concert and execute their plans of oppression. Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other. Besides other impediments, it may be remarked, that where there is a consciousness of unjust or dishonorable purposes, communication is always checked by distrust, in proportion to the number whose concurrence is necessary.

Hence it clearly appears, that the same advantage, which a Republic has over a Democracy, in controlling the effects of faction, is enjoyed by a large over a small Republic—is enjoyed by the Union over the States composing it. Does this advantage consist in the substitution of Representatives, whose enlightened views and virtuous sentiments render them superior to local prejudices, and to schemes of injustice? It will not be denied, that the Representation of the Union will be most likely to possess these requisite endowments. Does it consist in the greater security afforded by a greater variety of parties, against the event of anyone party being able to outnumber and oppress the rest? In an equal degree does the increased variety of parties, comprised within the Union, increase this security. Does it, in fine,[3] consist in the greater obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority? Here, again, the extent of the Union gives it the most palpable advantage.

The influence of factious leaders may kindle a flame within their particular States, but will be unable to spread a general conflagration[4] through the other States: a religious sect, may degenerate into a political faction in a part of the Confederacy; but the variety of sects dispersed over the entire face of it, must secure the national Councils against any danger from that source: a rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper or wicked project, will be less apt to pervade the whole body of the Union, than a particular member of it; in the same proportion as such a malady is more likely to taint a particular county or district, than an entire State.

In the extent and proper structure of the Union, therefore, we behold a Republican remedy for the diseases most incident to Republican Government. And according to the degree of pleasure and pride, we feel in being Republicans, ought to be our zeal in cherishing the spirit, and supporting the character of Federalists.

PUBLIUS.

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The Federalist No. 51

James Madison
February 6, 1788

from *The Independent Journal,* February 6, 1788. This essay appeared on February 8 in *The New-York Packet* and on February 11 in *The Daily Advertiser.* Standard numbering (from the McLean edition of all the essays) gives it the number 51, but it was numbered 50 in the newspapers.

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[1] *diffusive* Bountiful, generous.

[2] *inconveniencies* Difficulties.

[3] *in fine* In conclusion.

[4] *conflagration* Large destructive fire.

To the People of the State of New York.

To what expedient[1] then shall we finally resort for maintaining in practice the necessary partition of power among the several departments, as laid down in the *constitution*? The only answer that can be given is, that as all these exterior provisions are found to be inadequate, the defect must be supplied, by so contriving the interior structure of the government, as that its several constituent parts may, by their mutual relations, be the means of keeping each other in their proper places. Without presuming to undertake a full development of this important idea, I will hazard a few general observations, which may perhaps place it in a clearer light, and enable us to form a more correct judgment of the principles and structure of the government planned by the convention.

In order to lay a due foundation for that separate and distinct exercise of the different powers of government, which to a certain extent, is admitted on all hands to be essential to the preservation of liberty, it is evident that each department should have a will of its own; and consequently should be so constituted, that the members of each should have as little agency as possible in the appointment of the members of the others. Were this principle rigorously adhered to, it would require that all the appointments for the supreme executive, legislative, and judiciary magistracies, should be drawn from the same fountain of authority, the people, through channels, having no communication whatever with one another. Perhaps such a plan of constructing the several departments would be less difficult in practice than it may in contemplation appear. Some difficulties however, and some additional expense, would attend the execution of it. Some deviations therefore from the principle must be admitted. In the constitution of the judiciary department in particular, it might be inexpedient to insist rigorously on the principle; first, because peculiar qualifications being essential in the members, the primary consideration ought to be to select that mode of choice, which best secures these qualifications; secondly, because the permanent tenure[2] by which the appointments are held in that department, must soon destroy all sense of dependence on the authority conferring them.

It is equally evident that the members of each department should be as little dependent as possible on those of the others, for the emoluments annexed to their offices.[3] Were the executive magistrate, or the judges, not independent of the legislature in this particular, their independence in every other would be merely nominal.[4]

But the great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department, the necessary constitutional means, and personal motives, to resist encroachments of the others. The provision for defense must in this, as in all other cases, be made commensurate[5] to the danger of attack. Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature, that such devices should be necessary to control the abuses of government. But what is government itself but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place, oblige it to control itself. A dependence on the people is no doubt the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.

This policy of supplying by opposite and rival interests, the defect of better motives, might be traced through the whole system of human affairs, private as well as public. We see it particularly displayed in all the subordinate distributions of power; where the constant aim is to divide and arrange the several offices in such a manner as that each may be a check on the other; that the private interest of every individual, may be a sentinel[6] over the public rights. These inventions of prudence cannot be less requisite in the distribution of the supreme powers of the state.

But it is not possible to give to each department an equal power of self defense. In republican government the legislative authority, necessarily, predominates. The remedy for this in conveniency is, to divide the legislature into different branches; and to render them by different modes of election, and different principles of action, as little connected with each other, as the nature of their common functions, and their common dependence on the society, will admit. It may even be necessary to guard against dangerous encroachments by still further precautions. As the weight of the legislative authority requires that it should be thus divided, the weakness of the executive may require, on the other hand, that it should be fortified. An absolute negative,[1] on the legislature, appears at first view to be the natural defense with which the executive magistrate should be armed. But perhaps it would be neither altogether safe, nor alone sufficient. On ordinary occasions, it might not be exerted with the requisite firmness; and on extraordinary occasions, it might be perfidiously[2] abused. May not this defect of an absolute negative be supplied, by some qualified connection between this weaker department, and the weaker branch of the stronger department, by which the latter may be led to support the constitutional rights of the former, without being too much detached from the rights of its own department?

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[1] *expedient* Effective measure.

[2] *tenure* Job-holding.

[3] *emoluments annexed to their offices* Pay provided by their positions.

[4] *nominal* In name only, not in fact.

[5] *commensurate* In proportion.

[6] *sentinel* Guard, lookout.

If the principles on which these observations are founded be just, as I persuade myself they are, and they be applied as a criterion, to the several state constitutions, and to the federal constitution, it will be found, that if the latter does not perfectly correspond with them, the former are infinitely less able to bear such a test.

There are moreover two considerations particularly applicable to the federal system of America, which place that system in a very interesting point of view.

First. In a single republic, all the power surrendered by the people, is submitted to the administration of a single government; and usurpations[3] are guarded against by a division of the government into distinct and separate departments. In the compound republic of America, the power surrendered by the people, is first divided between two distinct governments, and then the portion allotted to each, subdivided among distinct and separate departments. Hence a double security arises to the rights of the people. The different governments will control each other; at the same time that each will be controlled by itself.

Second. It is of great importance in a republic, not only to guard the society against the oppression of its rulers; but to guard one part of the society against the injustice of the other part. Different interests necessarily exist in different classes of citizens. If a majority be united by a common interest, the rights of the minority will be insecure. There are but two methods of providing against this evil: The one by creating a will in the community independent of the majority, that is, of the society itself; the other by comprehending[4] in the society so many separate descriptions of citizens, as will render an unjust combination of a majority of the whole, very improbable, if not impracticable.[5] The first method prevails in all governments possessing an hereditary or self appointed authority. This at best is but a precarious[6] security; because a power independent of the society may as well espouse[7] the unjust views of the major, as the rightful interests, of the minor party, and may possibly be turned against both parties. The second method will be exemplified in the federal republic of the United States. Whilst all authority in it will be derived from and dependent on the society, the society itself will be broken into so many parts, interests and classes of citizens, that the rights of individuals or of the minority, will be in little danger from interested combinations of the majority. In a free government, the security for civil rights must be the same as for religious rights. It consists in the one case in the multiplicity of interests, and in the other, in the multiplicity of sects. The degree of security in both cases will depend on the number of interests and sects; and this may be presumed to depend on the extent of country and number of people comprehended under the same government. This view of the subject must particularly recommend a proper federal system to all the sincere and considerate friends of republican government: Since it shows that in exact proportion as the territory of the union may be formed into more circumscribed[8] confederacies or states, oppressive combinations of a majority will be facilitated, the best security under the republican form, for the rights of every class of citizens, will be diminished; and consequently, the stability and independence of some member of the government, the only other security, must be proportionally increased. Justice is the end of government. It is the end of civil society. It ever has been, and ever will be pursued, until it be obtained, or until liberty be lost in the pursuit. In a society under the forms of which the stronger faction can readily unite and oppress the weaker, anarchy may as truly be said to reign, as in a state of nature where the weaker individual is not secured against the violence of the stronger: And as in the latter state even the stronger individuals are prompted by the uncertainty of their condition, to submit to a government which may protect the weak as well as themselves: So in the former state, will the more powerful factions or parties be gradually induced by a like motive, to wish for a government which will protect all parties, the weaker as well as the more powerful. It can be little doubted, that if the state of Rhode Island[1] was separated from the confederacy, and left to itself, the insecurity of rights under the popular form of government within such narrow limits, would be displayed by such reiterated[2] oppressions of factious majorities, that some power altogether independent of the people would soon be called for by the voice of the very factions whose misrule had proved the necessity of it. In the extended republic of the United States, and among the great variety of interests, parties and sects which it embraces, a coalition of a majority of the whole society could seldom take place on any other principles than those of justice and the general good; and there being thus less danger to a minor from the will of the major party, there must be less pretext[3] also, to provide for the security of the former, by introducing into the government a will not dependent on the latter; or in other words, a will independent of the society itself. It is no less certain than it is important, notwithstanding the contrary opinions which have been entertained, that the larger the society, provided it lie within a practicable sphere, the more duly capable it will be of self government. And happily for the *republican cause*, the practicable sphere may be carried to a very great extent, by a judicious modification and mixture of the *federal principle*.

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[1] *negative* Right of veto.

[2] *perfidiously* Treacherously.

[3] *usurpations* Wrongful seizures.

[4] *comprehending* Including.

[5] *impracticable* Impossible.

[6] *precarious* Uncertain, unstable.

[7] *espouse* Take as its own.

[8] *circumscribed* Restricted in area.

PUBLIUS.

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The Federalist No. 78

Alexander Hamilton
May 28, 1788

from J. and A. McLean, *The Federalist*, II, 290–99, where this essay was first published on May 28, 1788 and numbered 78. It appeared on June 14 in *The Independent Journal* where it was numbered 77; it was begun on June 17 and concluded on June 20 in *The New-York Packet* where it was numbered 78.

We proceed now to an examination of the judiciary department of the proposed government.

In unfolding the defects of the existing confederation, the utility and necessity of a federal judicature have been clearly pointed out.[4] It is the less necessary to recapitulate[5] the considerations there urged; as the propriety of the institution in the abstract is not disputed: The only questions which have been raised being relative to the manner of constituting it, and to its extent. To these points therefore our observations shall be confined.

The manner of constituting it seems to embrace these several objects—First: The mode of appointing the judges. Second: The tenure by which they are to hold their places. Third: The partition of the judiciary authority between different courts, and their relations to each other.

First. As to the mode of appointing the judges: This is the same with that of appointing the officers of the union in general, and has been so fully discussed in the two last numbers, that nothing can be said here which would not be useless repetition.

Second. As to the tenure by which the judges are to hold their places: This chiefly concerns their duration in office; the provisions for their support; and the precautions for their responsibility.

According to the plan of the convention, all the judges who may be appointed by the United States are to hold their offices *during good behavior*, which is conformable to the most approved of the state constitutions; and among the rest, to that of this state. Its propriety having been drawn into question by the adversaries of that plan, is no light symptom of the rage for objection which disorders their imaginations and judgments. The standard of good behavior for the continuance in office of the judicial magistracy is certainly one of the most valuable of the modern improvements in the practice of government. In a monarchy it is an excellent barrier to the despotism of the prince: In a republic it is a no less excellent barrier to the encroachments and oppressions of the representative body. And it is the best expedient which can be devised in any government, to secure a steady, upright and impartial administration of the laws.

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[1] *Rhode Island* Still the state with the smallest area.

[2] *reiterated* Repeated.

[3] *pretext* Excuse.

[4] *have been clearly pointed out* See Essay 22.

[5] *recapitulate* Restate.

Whoever attentively considers the different departments of power must perceive, that in a government in which they are separated from each other, the judiciary, from the nature of its functions, will always be the least dangerous to the political rights of the constitution; because it will be least in a capacity to annoy[1] or injure them. The executive not only dispenses the honors, but holds the sword of the community. The legislature not only commands the purse, but prescribes the rules by which the duties and rights of every citizen are to be regulated. The judiciary on the contrary has no influence over either the sword or the purse, no direction either of the strength or of the wealth of the society, and can take no active resolution whatever. It may truly be said to have neither Force nor Will, but merely judgment; and must ultimately depend upon the aid of the executive arm even for the efficacy of its judgments.

This simple view of the matter suggests several important consequences. It proves incontestably that the judiciary is beyond comparison the weakest of the three departments of power;[2] that it can never attack with success either of the other two; and that all possible care is requisite to enable it to defend itself against their attacks. It equally proves, that though individual oppression may now and then proceed from the courts of justice, the general liberty of the people can never be endangered from that quarter: I mean, so long as the judiciary remains truly distinct from both the legislative and executive. For I agree that "there is no liberty, if the power of judging be not separated from the legislative and executive powers."[3] And it proves, in the last place, that as liberty can have nothing to fear from the judiciary alone, but would have every thing to fear from its union with either of the other departments; that as all the effects of such an union must ensue from a dependence of the former on the latter, notwithstanding a nominal and apparent separation; that as from the natural feebleness of the judiciary, it is in continual jeopardy of being overpowered, awed or influenced by its coordinate branches; and that as nothing can contribute so much to its firmness and independence, as permanency in office, this quality may therefore be justly regarded as an indispensable ingredient in its constitution; and in a great measure as the citadel of the public justice and the public security.

The complete independence of the courts of justice is peculiarly essential in a limited constitution. By a limited constitution I understand one which contains certain specified exceptions to the legislative authority; such for instance as that it shall pass no bills of attainder,[4] no *ex post facto laws*,[5] and the like. Limitations of this kind can be preserved in practice no other way than through the medium of the courts of justice; whose duty it must be to declare all acts contrary to the manifest tenor[6] of the constitution void. Without this, all the reservations of particular rights or privileges would amount to nothing.

Some perplexity respecting the right of the courts to pronounce legislative acts void, because contrary to the constitution, has arisen from an imagination that the doctrine would imply a superiority of the judiciary to the legislative power. It is urged that the authority which can declare the acts of another void, must necessarily be superior to the one whose acts may be declared void. As this doctrine is of great importance in all the American constitutions, a brief discussion of the grounds on which it rests cannot be unacceptable.

There is no position which depends on clearer principles, than that every act of a delegated authority, contrary to the tenor of the commission under which it is exercised, is void. No legislative act therefore contrary to the constitution can be valid. To deny this would be to affirm that the deputy is greater than his principal; that the servant is above his master; that the representatives of the people are superior to the people themselves; that men acting by virtue of powers may do not only what their powers do not authorize, but what they forbid.

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[1] *annoy* Interfere with.

[2] *three departments of power* [Publius' footnote] The celebrated Montesquieu speaking of them says, "of the three powers above mentioned, the *judiciary* is next to nothing." *Spirit of Laws*, volume 1.

[3] *there is no liberty ... executive powers* [Publius' footnote] Ibid.

[4] *bills of attainder* Acts of the legislature declaring someone (or some group) guilty of a crime, and sentencing to punishment, without trial. Regarded as an abuse of governmental power, the power to enact these laws was abolished in the United Kingdom in 1870 (they had been only rarely used before that).

[5] *ex post facto laws* Laws changing the legal status of acts retroactively, that is, after they have been committed. Another practice regarded as an abuse.

[6] *manifest tenor* Clear general nature.

If it be said that the legislative body are themselves the constitutional judges of their own powers, and that the construction they put upon them is conclusive upon the other departments, it may be answered, that this cannot be the natural presumption, where it is not to be collected from any particular provisions in the constitution. It is not otherwise to be supposed that the constitution could intend to enable the representatives of the people to substitute their *will* to that of their constituents. It is far more rational to suppose that the courts were designed to be an intermediate body between the people and the legislature, in order, among other things, to keep the latter within the limits assigned to their authority. The interpretation of the laws is the proper and peculiar province of the courts. A constitution is in fact, and must be, regarded by the judges as a fundamental law. It therefore belongs to them to ascertain its meaning as well as the meaning of any particular act proceeding from the legislative body. If there should happen to be an irreconcilable variance between the two, that which has the superior obligation and validity ought of course to be preferred; or in other words, the constitution ought to be preferred to the statute, the intention of the people to the intention of their agents.

Nor does this conclusion by any means suppose a superiority of the judicial to the legislative power. It only supposes that the power of the people is superior to both; and that where the will of the legislature declared in its statutes, stands in opposition to that of the people declared in the constitution, the judges ought to be governed by the latter, rather than the former. They ought to regulate their decisions by the fundamental laws, rather than by those which are not fundamental.

This exercise of judicial discretion in determining between two contradictory laws, is exemplified in a familiar instance. It not uncommonly happens, that there are two statutes existing at one time, clashing in whole or in part with each other, and neither of them containing any repealing[1] clause or expression. In such a case, it is the province of the courts to liquidate and fix their meaning and operation: So far as they can by any fair construction be reconciled to each other; reason and law conspire to dictate that this should be done. Where this is impracticable, it becomes a matter of necessity to give effect to one, in exclusion of the other. The rule which has obtained in the courts for determining their relative validity is that the last in order of time shall be preferred to the first. But this is mere rule of construction, not derived from any positive[2] law, but from the nature and reason of the thing. It is a rule not enjoined[3] upon the courts by legislative provision, but adopted by themselves, as consonant to truth and propriety, for the direction of their conduct as interpreters of the law. They thought it reasonable, that between the interfering acts of an *equal* authority, that which was the last indication of its will, should have the preference.

But in regard to the interfering acts of a superior and subordinate authority, of an original and derivative power, the nature and reason of the thing indicate the converse of that rule as proper to be followed. They teach us that the prior act of a superior ought to be preferred to the subsequent act of an inferior and subordinate authority; and that, accordingly, whenever a particular statute contravenes the constitution, it will be the duty of the judicial tribunals to adhere to the latter, and disregard the former.

It can be of no weight to say, that the courts on the pretense of a repugnancy,[4] may substitute their own pleasure to the constitutional intentions of the legislature. This might as well happen in the case of two contradictory statutes; or it might as well happen in every adjudication upon any single statute. The courts must declare the sense of the law; and if they should be disposed to exercise WILL instead of JUDGMENT, the consequence would equally be the substitution of their pleasure to that of the legislative body. The observation, if it proved any thing, would prove that there ought to be no judges distinct from that body.

If then the courts of justice are to be considered as the bulwarks[5] of a limited constitution against legislative encroachments, this consideration will afford a strong argument for the permanent tenure[6] of judicial offices, since nothing will contribute so much as this to that independent spirit in the judges, which must be essential to the faithful performance of so arduous a duty.

This independence of the judges is equally requisite to guard the constitution and the rights of individuals from the effects of those ill humors[1] which the arts of designing[2] men, or the influence of particular conjunctures,[3] sometimes disseminate among the people themselves, and which, though they speedily give place to better information and more deliberate reflection, have a tendency in the mean time to occasion dangerous innovations in the government, and serious oppressions of the minor party in the community. Though I trust the friends of the proposed constitution will never concur with its enemies[4] in questioning that fundamental principle of republican government, which admits the right of the people to alter or abolish the established constitution whenever they find it inconsistent with their happiness; yet it is not to be inferred from this principle, that the representatives of the people, whenever a momentary inclination happens to lay hold of a majority of their constituents incompatible with the provisions in the existing constitution, would on that account be justifiable in a violation of those provisions; or that the courts would be under a greater obligation to connive[5] at infractions in this shape, than when they had proceeded wholly from the cabals of the representative body. Until the people have by some solemn and authoritative act annulled or changed the established form, it is binding upon themselves collectively, as well as individually; and no presumption, or even knowledge of their sentiments, can warrant their representatives in a departure from it, prior to such an act. But it is easy to see that it would require an uncommon portion of fortitude in the judges to do their duty as faithful guardians of the constitution, where legislative invasions of it had been instigated by the major voice of the community.

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[1] *repealing* Retracting, annulling.

[2] *positive* Explicit.

[3] *enjoined* Imposed.

[4] *repugnancy* Strong feeling of disgust.

[5] *bulwarks* Defensive walls.

[6] *tenure* Term of appointment to a job.

But it is not with a view to infractions of the constitution only that the independence of the judges may be an essential safeguard against the effects of occasional ill humors in the society. These sometimes extend no farther than to the injury of the private rights of particular classes of citizens, by unjust and partial laws. Here also the firmness of the judicial magistracy is of vast importance in mitigating[6] the severity, and confining the operation of such laws. It not only serves to moderate the immediate mischiefs of those which may have been passed, but it operates as a check upon the legislative body in passing them; who, perceiving that obstacles to the success of an iniquitous[7] intention are to be expected from the scruples of the courts, are in a manner compelled by the very motives of the injustice they meditate, to qualify their attempts. This is a circumstance calculated to have more influence upon the character of our governments, than but few may be aware of. The benefits of the integrity and moderation of the judiciary have already been felt in more states than one; and though they may have displeased those whose sinister expectations they may have disappointed, they must have commanded the esteem and applause of all the virtuous and disinterested.[8] Considerate men of every description ought to prize whatever will tend to beget or fortify that temper in the courts; as no man can be sure that he may not be tomorrow the victim of a spirit of injustice, by which he may be a gainer today. And every man must now feel that the inevitable tendency of such a spirit is to sap the foundations of public and private confidence, and to introduce in its stead, universal distrust and distress.

That inflexible and uniform adherence to the rights of the constitution and of individuals, which we perceive to be indispensable in the courts of justice, can certainly not be expected from judges who hold their offices by a temporary commission. Periodical appointments, however regulated, or by whomsoever made, would in some way or other be fatal to their necessary independence. If the power of making them was committed either to the executive or legislature, there would be danger of an improper complaisance to[9] the branch which possessed it; if to both, there would be an unwillingness to hazard the displeasure of either; if to the people, or to persons chosen by them for the special purpose, there would be too great a disposition to consult popularity, to justify a reliance that nothing would be consulted but the constitution and the laws.

There is yet a further and a weighty reason for the permanency of the judicial offices; which is deducible from the nature of the qualifications they require. It has been frequently remarked with great propriety,[1] that a voluminous code of laws is one of the inconveniences necessarily connected with the advantages of a free government. To avoid an arbitrary discretion in the courts, it is indispensable that they should be bound down by strict rules and precedents, which serve to define and point out their duty in every particular case that comes before them; and it will readily be conceived from the variety of controversies which grow out of the folly and wickedness of mankind, that the records of those precedents must unavoidably swell to a very considerable bulk, and must demand long and laborious study to acquire a competent knowledge of them. Hence it is that there can be but few men in the society, who will have sufficient skill in the laws to qualify them for the stations of judges. And making the proper deductions for the ordinary depravity of human nature, the number must be still smaller of those who unite the requisite integrity with the requisite knowledge. These considerations apprise us, that the government can have no great option between fit characters; and that a temporary duration in office, which would naturally discourage such characters from quitting a lucrative line of practice to accept a seat on the bench, would have a tendency to throw the administration of justice into hands less able, and less well qualified to conduct it with utility and dignity. In the present circumstances of this country, and in those in which it is likely to be for a long time to come, the disadvantages on this score would be greater than they may at first sight appear; but it must be confessed that they are far inferior to those which present themselves under the other aspects of the subject.

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[1] *ill humors* Fits of irritation or surliness.

[2] *designing* Scheming.

[3] *conjunctures* Combinations of events and circumstances.

[4] *Though I trust ... enemies* [Publius' footnote] Vide [see] Protest of the minority of the convention of Pennsylvania, Martin's speech, etc. [The "Protest" was against Pennsylvania's ratification of the Constitution, signed by twenty-one members of that state's Constitutional Convention, and printed in *The Pennsylvania Packet and Daily Advertiser,* December 18, 1787. "Martin's speech" may be one opposing the proposed Constitution by Luther Martin, member of the Constitutional Convention, before the Maryland House of Delegates on January 27, 1788.]

[5] *connive* Give unspoken consent (to something wrong).

[6] *mitigating* Reducing (severity).

[7] *iniquitous* Unjust or unfair.

[8] *disinterested* Impartial.

[9] *complaisance to* Seeking to please.

Upon the whole there can be no room to doubt that the convention acted wisely in copying from the models of those constitutions which have established *good behavior* as the tenure of their judicial offices in point of duration; and that so far from being blamable on this account, their plan would have been inexcusably defective if it had wanted this important feature of good government. The experience of Great Britain affords an illustrious comment on the excellence of the institution.

PUBLIUS.

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[1] *with great propriety* Properly.

OLYMPE DE GOUGES
(1748 – 1793)

Olympe de Gouges was a playwright, pamphleteer, and feminist revolutionary. Born and christened Marie Gouze in the southwest of France into a *petit bourgeois* family, her first language was Occitan (Provençal). She received little formal education and, in 1865, she married a French officer, Louis Aubrey, with whom she had a son. After the death of her husband three years later, she left for Paris, declaring marriage to be *le tombeau de la confiance et de l'amour*—the death of trust and love.

In Paris, she improved her French and began her literary career. Her play *Zamore et Mirza, ou l'heureux naufrage* ("Zamora and Mirza, or the Happy Shipwreck") was performed by the Comédie-Française on June 30, 1785 and later published as *L'Esclavage des nègres* ("Black Slavery") in 1792. This work, along with *Réflexions sur les hommes nègres* (1788) ("Reflections on Black Men") and *Le Marché des Noirs* (1790) ("The March of the Blacks") established her as an early anti-slavery advocate.

During this time, she published political posters and manifestos calling for the equality of the sexes, including the right to vote and the rights of divorce and sexual freedom; the full recognition of illegitimate children; solidarity with the poor, including the creation of national workshops for the unemployed and shelters for beggars; people's juries for criminal trials; and the abolition of the death penalty. When the French Revolution began in 1789, she initially greeted it with enthusiasm. This enthusiasm waned when she found the revolutionaries reluctant to extend the rights they had successfully fought for to women. In 1791 the French Constituent National Assembly published "*Déclaration des droits de l'homme et du citoyen*" ("Declaration of the Rights of Man and of the Citizen") as the preamble to the constitutional law that Louis XVI was to sign. Only a few days later, Gouges distributed her most famous work, "*Déclaration des droits de la femme et de la citoyenne*" ("Declaration of the Rights of Woman and of the Female Citizen"), a slightly but crucially amended work in which women were accorded equal and full political rights.

Her opposition to what she saw as the injustices of the revolution grew, and she associated with the Griondistes, a political group which had strongly advocated the Revolution, but who afterwards, repelled by post-revolutionary terror and anarchy, urged moderation. In 1792, her opposition to the execution of King Louis XVI brought her a good deal of criticism. In 1793, she published *Les trois urnes, ou le salut de la Patrie, par un voyageur aérien* ("The Three Urns, or the Health of the Country, by an Aerial Voyager"); here she argued that the French should be given a choice among three modes of government: a federal republic, a more monolithic republic, or a constitutional monarchy. This led to her arrest and trial. Charged with monarchist anti-Republican sympathies and counter-revolutionary agitation, she was condemned to death. Though she had the opportunity to escape, she chose instead to contest the decision, publishing two pamphlets *Olympe de Gouges au Tribunal révolutionnaire* ("Olympe de Gouges before the Revolutionary Court") and *Une patriote persécutée* ("A Persecuted Patriot"). On November 3, 1793, she was executed on the guillotine.

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Declaration of the Rights of Woman and the Female Citizen (1791)

[*The main part of Gouge's* Declaration *is a rewriting of the French National Assembly's* Declaration of the Rights of Man and the Citizen. *Both consist of a "Preamble" and twenty-seven articles. The translation of Gouge's rewrite is in the left column below; to the right, for the purpose of comparison, is the translation of the* Declaration of the Rights of Man and the Citizen. *Gouge's* Declaration *is preceded by her introductory passage and followed by her "Postamble."*]

Man, are you capable of being just? It is a woman who asks you this question; at least you will not deny her this right. Tell me! Who has given you the sovereign authority to oppress my sex? Your strength? Your talents? Observe the creator in his wisdom; survey nature in all her grandeur, with which you seem to want to be in harmony; and give me, if you dare, an example of such tyrannical empire. Go back to the animals, consider the elements, study the plants, then glance over all the modifications of organized matter, and yield to the evidence when I offer you the means. Seek, probe, and distinguish, if you can, the sexes in the administration of nature. Everywhere you will find them mingled, everywhere they cooperate in harmony in this immortal masterpiece.

Man alone has made his exceptional circumstance a principle. He—bizarre, blind, bloated by science, degenerate, grossly ignorant in this century of enlightenment and wisdom, wishes to exercise despotical command of a sex in full possession of its intellectual faculties; he claims to rejoice in the Revolution and claims his own rights to equality, but then says say nothing more about it.

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Preamble

The mothers, daughters, and sisters, representatives of the nation, demand to be constituted a national assembly. Believing that ignorance, disregard of or contempt for the rights of women are the only causes of public calamities and of governmental corruption, they have resolved to set forth, in a solemn declaration, the natural, inalienable and sacred rights of woman; in order that this declaration, being constantly before all members of society, shall remind them continually of their rights and duties; in order that the acts based on women's power and those based on the power of men, may be constantly compared with the goal of all political institutions, may thus be more respected; and so that the demands of female citizens, based henceforth on simple and indisputable principles, may always uphold the constitution and good morals, and may contribute to the happiness of all.

Therefore, the sex that is superior in beauty as well as in courage of maternal suffering, recognizes and proclaims, in the presence, and under the auspices, of the Supreme Being, the following rights of woman and citizen.

1. Women are born free and remain equal in rights to man. Social distinctions may be based only on considerations of the general good.

2. The aim of every political association is the preservation of the natural and irrevocable rights of women and men. These rights are liberty, property, security, and especially resistance to oppression.

3. The principle of all sovereignty resides essentially in the Nation, which is nothing other than the union of women and man; no group nor individual may exercise any authority that is not expressly derived from it.

Preamble

The representatives of the French people, organized in National Assembly, believing that ignorance, disregard of, or contempt for the rights of man are the only causes of public calamities and of the governmental corruption, have resolved to set forth, in a solemn declaration, the natural, inalienable, and sacred rights of man, in order that this declaration, being constantly before all members of the society, shall remind them continually of their rights and duties; in order that the acts of the legislative power, as well as those of the executive power, may be constantly compared with the goal of all political institutions and may thus be more respected, and in order that the demands of citizens, based henceforth on simple and indisputable principles, may always uphold the constitution and contribute to the happiness of all.

Therefore the National Assembly recognizes and proclaims, in the presence, and under the auspices, of the Supreme Being, the following rights of man and of the citizen:

1. Men are born and remain free and equal in rights. Social distinctions may be based only on considerations of the general good.

2. The aim of every political association is the preservation of the natural and irrevocable rights of man. These rights are liberty, property, security, and resistance to oppression.

3. The principle of all sovereignty resides essentially in the nation. No group nor individual may exercise any authority that is not expressly derived from it.

4. Liberty and justice consist of rendering to persons those things that belong to them; thus, the exercise of woman's natural rights is limited only by the perpetual tyranny with which man opposes her; these limits must be changed according to the laws of nature and reason.	4. Liberty consists in the freedom to do anything that harms no one else; hence the exercise of man's natural rights has no limits except those that assure other members of society the enjoyment of the same rights. These limits can only be determined by law.
5. The laws of nature and of reason prohibit all acts harmful to society; whatever is not prohibited by these wise and divine laws may not be interfered with, and no one may be forced to do anything not required by law.	5. Law can prohibit only those actions that are harmful to society. Whatever is not prohibited by law may not be interfered with, and no one may be forced to do anything not required by law.
6. The law should be the expression of the general will: all female and male citizens must participate in its making, personally or through their representatives. It must be the same for all; all female and male citizens, being equal in the eyes of the law, should be equally eligible for all high offices, public positions, and occupations, according to their abilities and with no distinction other than those of their virtues and talents.	6. Law is the expression of the general will. Every citizen must participate in its making, personally, or through his representative. It must be the same for all, whether it protects or punishes. All citizens, being equal in the eyes of the law, should be equally eligible for all high offices, public positions, and occupations, according to their abilities, and without distinction other than those of their virtues and talents.
7. No woman is immune; she can be accused, arrested, or detained in the cases determined by law. Women, like men, must obey these rigorous laws.	7. No person shall be accused, arrested, or detained except in the cases, and according to the procedures, determined by law. Those who solicit, expedite, carry out, or cause to be carried out, any arbitrary order, shall be punished. But any citizen summoned or apprehended in accord with the law shall submit without delay, as resistance constitutes an offense.
8. Only punishments strictly and obviously necessary may be established by law. No one may be punished except under a law established and promulgated before the offense occurred, and which is legally applicable to women.	8. Only punishments strictly and obviously necessary may be established by law. No one may be punished except under a law established and promulgated before the offense occurred, and which is legally applied.
9. If any woman is declared guilty, then the law must be rigorously enforced.	9. As all persons are held innocent until they have been declared guilty; if arrest is deemed necessary, any force beyond the minimum essential for security shall be strictly prevented by law.
10. People shall not be punished for their opinions. Women have the right to mount the scaffold; they should equally have the right to speak in public, provided that this expression of their views does not disrupt the public order established by law.	10. People shall not be punished for their opinions, even their religious views, provided that the expression of their views does not disrupt the public order established by law.

11. Free communication of thought and opinion is one of the most precious rights of woman, since this liberty assures the recognition of the paternity of children by their fathers. Every female citizen can therefore freely say: "I am the mother of a child that belongs to you," without being subject to the barbaric prejudice forcing her to conceal the truth; but she must also be responsible for abuse of this freedom, as determined by law.	11. The free communication of ideas and opinions is one of the most precious rights of man. Every citizen may therefore freely speak, write, and publish, but shall be responsible for abuse of this freedom as determined by law.
12. Guarantee of the rights of woman and female citizens requires the existence of army and police. Such guarantee is therefore to be established for the good of everyone, not for the personal benefit of those who are entrusted to perform this service.	12. The security of the rights of man and of the citizen requires the existence of army and police. These forces are, therefore, to be established for the good of everyone and not for the personal benefit of those who are entrusted to perform this service.
13. For the maintenance of public forces and administrative expenses, taxation of women and men shall be equal; women share in all forced labor and all painful tasks, therefore they should have the same share in the distribution of positions, tasks, assignments, honors, and jobs.	13. For the maintenance of public forces and administrative expenses, a common tax is essential. This should be equitably shared by all citizens in proportion to their means.
14. Female and male citizens have the right to determine the necessity for a public tax, either by themselves or through their representatives. This can apply to female citizens only if they are given an equal share not only of wealth, but also of the public administration and the determination of the amount, the method of assessment, and the duration of taxes.	14. All citizens have a right to determine the necessity for a public tax, either personally or through their representatives; to grant this freely; to watch over how it is used; and to determine the amount, the method of assessment, and the duration of taxes.
15. The collectivity of women, their contributions joined with those of men, have the right make public officials give an account of their administration.	15. Society has the right to make public officials give an account of their administration.
16. Any society in which the guarantee of rights is not assured, or the separation of powers not determined, has no constitution at all. The constitution is invalid if the majority of individuals who make up the nation have not participated in its creation.	16. A society in which the guarantee of rights is not assured, or the separation of powers not determined, has no constitution at all.
17. Property belongs to both sexes, whether united or separate, and is for each an inviolable and sacred right; since it is a true inheritance of nature, no one may be deprived of it except in cases of legally determined public necessity, and then only on condition that the owner shall have been previously and equitably compensated.	17. Since property is an inviolable and sacred right, no one may be deprived of it except in cases of legally determined public necessity, and then only on condition that the owner shall have been previously and equitably compensated.

Postamble

Women, wake up! The alarm bell of reason is sounding throughout the Universe; discover your rights. The powerful empire of nature is no longer surrounded by prejudices, fanaticism, superstition, and lies. The torch of truth has dispelled all the clouds of stupidity and usurpation. When he was enslaved, man gathered his strength and multiplied his forces; he needed to draw upon your strength to break his own chains. Having become free, he has become unjust toward his companion. Oh Women! Women! When will you cease to be blind? What advantages have you gained in the Revolution?[1] A more marked scorn, a more pronounced disdain. During centuries of corruption, you reigned only over the weakness of men. Your empire is destroyed; what then remains for you? The proof of man's injustice. To claim of your inheritance founded on the wise decrees of nature—what have you to fear from such a splendid enterprise? The good word of the governor at the marriage of Cana?[2] Do you not fear that our French legislators, correcting this morality, attached for so long to the realm of politics but no longer fashionable, will again say to you, "Women, what do we have in common with you?" You must answer, "Everything!" If, in their weakness, they persist in drawing this conclusion contradicting their principles, you must courageously use the force of reason against their vain pretensions of superiority. Unite yourselves under the banner of philosophy; deploy all the energy of your character, and soon you will see these prideful ones not longer groveling with servile adoration at your feet, but proud to share with you the treasures of the Supreme Being. Whatever the obstacles that are put in your way, it is in your power to overturn them; you have only to want to do it. Let us turn now to the frightful picture of what you have been in society; and since there is currently a question of national education, let us see if our wise legislators will think wisely about the education of women.

Women have done more evil than good. They have had their share in coercion and deceit. When forcibly abused, they have reacted with deceptive scheming; they have had recourse to all the resources of their charms, and the most irreproachable have not resisted them. They have used poison and the sword; they have called up crime and virtue alike. For centuries, the French government in particular has depended on the night-time administration of women; officials kept no secrets from their indiscretion: embassy, military command, the ministry, presidency of a court, the papacy, the college of cardinals—one might say everything profane and sacred subject to the foolishness of man has been subordinated to the greed and ambition of the female sex, which was formerly respected yet contemptible and, since the revolution, is still respectable and yet contemptible....

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[1] *Revolution* Gouges refers to the French Revolution, which began in 1789 and was still underway when she wrote in 1791.

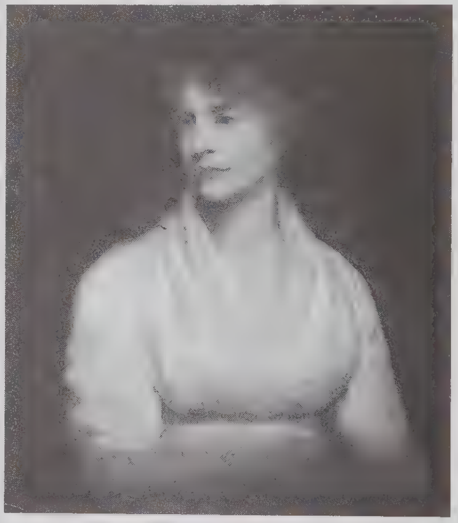
[2] *The good word ... Cana* The reference here is to John 2. The wine ran out at this wedding, and Jesus performed his first miracle, turning water into wine. Then: "When the ruler of the feast had tasted the water that had been made into wine, and knew not where it had come from (but the servants which drew the water knew), the governor of the feast called the bridegroom and said unto him, 'Every man at the beginning of a feast sets out good wine; and when men have drunk well of that, the host starts to serve the lower-quality wine: but you have kept the good wine until now'" (John 2.9–10). This story is sometimes taken by Christians to confirm the sanctity of marriage.

MARY WOLLSTONECRAFT
(1759 – 1797)

Who Was Mary Wollstonecraft?

As one of the first to formulate an extended set of arguments that gave questions of gender a central place in social and political matters, Mary Wollstonecraft, an eighteenth-century British writer, has secured a lasting place of prominence in Western political philosophy.

Wollstonecraft was born in 1759 into a well-off London family. Her father, however, was a drunken, violent spendthrift who squandered the family's modest fortune during Mary's childhood years (including money that Mary was to have inherited from another relative at 21). The family moved frequently as her father tried, and repeatedly failed, to make a go of farming in Epping, Whalebone (East London), Essex, Yorkshire, and Wales. They finally moved back to London when Mary was 18.



During these years Mary came to adopt a protective role toward her mother and two younger sisters. She sometimes slept outside the door of her mother's bedroom as a teenager in order to protect her from her father's alcohol-fueled rages. Later she nursed her sister, Eliza, after the difficult birth of Eliza's daughter. Eliza was probably suffering from postpartum depression, and Mary also suspected that her husband abused her; Mary convinced her sister to leave her husband, and helped her to do so. Unfortunately, Eliza was forced to leave behind her baby, who died within the year; this left Eliza disgraced in society, unable to remarry, and she spent the rest of her life struggling against poverty.

Wollstonecraft was also a passionate friend. A key friendship in her early life was with Fanny Blood, with whom she dreamed of setting up a female utopia. Together with Wollstonecraft's sisters they set up a school in Newington Green, London (a center for non-conformist religious communities). Before long, however, Blood became engaged and left the school. Blood's husband, Hugh Skeys, took her to Europe to try to improve her delicate health, but when she became pregnant she fell seriously ill. Wollstonecraft visited her in Lisbon to try to nurse her to health, but Blood died of complications from premature childbirth in 1785. This was a severe emotional blow for Wollstonecraft, and part of the inspiration for her first novel *Mary, a Fiction* (1788).

On Wollstonecraft's return to England[1] she closed the school—which had declined in her absence—and took a position as governess to the daughters of Lord Viscount Kingsborough in Ireland. She stayed with the Kingsboroughs for a year, and then made a decision which, for that time, was almost unprecedented: she decided to attempt to support herself as an author. Some of the reasons for doing so are set out in her first work, *Thoughts on the Education of Daughters* (1787), subtitled "The Unfortunate Situation of Females, Fashionably Educated, and Left Without a Fortune," in which she expresses her frustration at the very limited opportunities available for "respectable" women who nevertheless needed to work.

Wollstonecraft moved to London where, encouraged and assisted by the radical liberal publisher and bookseller Joseph Johnson, she settled down to make her living by writing. She learned French and German so that she could work as a translator of Continental texts, and wrote reviews, some of which were published in Johnson's liberal *Analytical Review*. She also published two books. *A Vindication of the Rights of Men* (1790) was a response to Edmund Burke's conservative critique of the French Revolution in *Reflections on the Revolution in France*. Its even more famous and influential partner was *A Vindication of the Rights of Woman* (1792).

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[1] One anecdote from this period is illustrative of Wollstonecraft's character: on the voyage home from Portugal, she brow-beat the captain of the ship into rescuing a wrecked French vessel that he wanted to pass by.

Wollstonecraft soon began to move in radical intellectual circles, and became acquainted with Thomas Paine, Joseph Priestley, Samuel Coleridge, William Blake, William Wordsworth, and William Godwin. During this period she became enraptured with the painter Henry Fuseli and pursued a relationship with him even though he was already married. In typically forthright fashion, Wollstonecraft proposed that she come to live with Fuseli and his wife in order to carry on a platonic relationship with the artist; Fuseli's wife was appalled and he broke off his relationship with her.

Humiliated, Wollstonecraft left for Paris late in 1792 in order to escape London and to witness first-hand the revolutionary events in France. She arrived alone in a country in turmoil, only a few weeks before the execution of the deposed king, Louis XVI. Wollstonecraft plunged into the excitement, and quickly fell passionately in love with an American adventurer named Gilbert Imlay (formerly an officer in the American Revolutionary War, he was acting as a diplomatic representative of the US while simultaneously lining his pockets by running the British blockade of French ports). Although Imlay had no interest in marrying her—and Wollstonecraft herself had strong reservations about marriage—she became pregnant with her first daughter, Fanny. After Britain declared war on France in 1793 Imlay registered Wollstonecraft as his wife in order to protect her from being arrested as a British citizen; however he did not marry her, and after leaving her at Le Havre, where she was to give birth, he never returned. Through all this Wollstonecraft continued her writing, publishing *An Historical and Moral View of the French Revolution* in 1794. The violent excesses she had witnessed caused her to temper her radical zeal somewhat, but she remained committed to democratic and egalitarian principles.

Wollstonecraft finally returned to London in 1795 and sought out Imlay, who had left France for England sometime earlier. Imlay, who had begun an affair with a young actress, rejected her,[1] but when she attempted to commit suicide with an overdose of tincture of opium he saved her life. In a last desperate attempt to win back his affections Wollstonecraft undertook to travel to Scandinavia—taking only her maid and young daughter—to attempt to track down a ship's captain who had absconded with a small fortune in Imlay's money intended to buy Swedish goods to import to France. But when she got back to England it became clear to her that Imlay would never return her love for him. Once again, she attempted suicide—by jumping into the Thames—and once again she was saved, this time by a passing stranger.

Gradually Wollstonecraft's depression began to lift and—throwing off any financial support from Imlay—she returned to the literary life she had previously pursued in London. Cautiously, she entered once more into a love affair, this time with the journalist, novelist, and utilitarian philosopher, William Godwin. The relationship was a happy and mutually reciprocated one, and when Wollstonecraft became pregnant they decided to marry. This forced Wollstonecraft to reveal publicly that her "marriage" to Imlay had been a fake one, and once again she became the subject of social scandal. Godwin, too, was attacked, this time by some of his radical friends, because he had argued in his *Enquiry Concerning Political Justice* (1793) that marriage should be abolished as a social institution.

Wollstonecraft and Godwin were wed in March 1797; so that they could retain their independence, they moved into adjoining houses in London. Wollstonecraft was full of plans for the future, and embarked on a new novel, to be called *Maria; or, The Wrongs of Woman*. In August, Wollstonecraft gave birth to her second daughter, Mary; but although at first the delivery seemed to go well, Wollstonecraft developed septicemia and died several days later. She was 38.

Godwin was grief-stricken. In 1798 he published his *Memoirs of the Author of a Vindication of the Rights of Woman* which, though deeply felt and sincere, caused yet more scandal for revealing in print the history of his dead wife's love affairs, illegitimate child, and suicide attempts. Their daughter, Mary Godwin, went on to elope with the Romantic poet Percy Bysshe Shelley, and to write *Frankenstein* (1818), as well as a number of other novels.

What Was Wollstonecraft's Overall Philosophical Project?

Wollstonecraft is best known for her argument, presented in *A Vindication of the Rights of Woman*, that women and men are inherently equal—equally rational, equally intelligent, equally moral—and that any appearances of intellectual or moral inequality are an artifact of differing education and social upbringing. She proposed a new social order, which would better serve the natural capacities of human beings, in which men and women are both treated as rational, autonomous beings. She argued that social changes of this sort would produce citizens—especially female citizens—that were better able to serve social justice, which would in turn produce a better, more robust, and more healthy society, which would then raise even more virtuous citizens, and so on in an upward spiral of social progress. Thus, equality for women would benefit all members of society, male as well as female.

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[1] Virginia Woolf's diagnosis of Imlay's feelings about Wollstonecraft is delightful (though possibly too charitable to him): "Tickling minnows he had hooked a dolphin, and the creature rushed him through the waters till he was dizzy and only wanted to escape" (from "Four Figures").

A key concern for Wollstonecraft was the importance of personal independence. For her, self-government was a key aspect of individual human development. In particular, moral virtue essentially involves acting autonomously on the basis of moral principles. These principles, according to Wollstonecraft, do not arise merely out of sympathy for others or other moral passions, or in accordance with merely social strictures, but are grasped by rational reflection on the attributes of God and on God's design as manifested through human nature.

The importance of stressing rational thought in the education of females was another significant theme for Wollstonecraft, beginning with one of her earliest works, the children's book *Original Stories from Real Life* (1788), which encourages a balance between reason and emotion. In *A Vindication of the Rights of Woman*, though she does not denigrate passion, Wollstonecraft urges women not to be "blown about by every momentary gust of feeling" but to temper feeling with rational reflection.

What Is the Structure of the Reading?

A Vindication of the Rights of Woman is divided into thirteen chapters; Wollstonecraft wrote these chapters hurriedly, as a response to current events, and intended them to be only Volume 1 of the work. However she died before she was able to complete Volume 2, which she envisaged as a more deliberate discussion of the issues raised in the first volume. A large portion of chapters 1 to 6 are reprinted here, plus long excerpts from chapters 9 and 12. These are preceded by an introduction and by Wollstonecraft's dedication to Talleyrand—whose report on education to the French National Assembly, in which he recommended that women be educated only in domestic science, spurred her into writing.

Wollstonecraft begins by discussing the relation between human nature and the good society, and then describes the harmful social effects of "artificial manners and virtues." She applies this discussion to the social asymmetries between women and men; she criticizes various arguments purporting to show that women are naturally inferior to men, while arguing that it is distorting social forces that make them appear so. Chapter 4 discusses the "state of degradation" to which these social forces, particularly early education, have reduced womankind.

In Chapter 5 Wollstonecraft debates four writers who had belittled the status of women; we reprint here her discussion of the first, Rousseau. Chapter 6 deals with the importance of early education, while Chapter 9 emphasizes the harm caused to both women and society by "the unnatural distinctions established in society." The twelfth chapter is on public education, and Wollstonecraft argues in particular for co-educational day schools. A concluding section from Chapter 13 is also included here.

Some Useful Background Information

i) Wollstonecraft was primarily a political reformer, rather than a philosopher. She saw herself as applying quasi-scientific reasoning—generalizations from her own experience and that of others—to the practical, social problems of the day. She had little interest in formulating an overarching, comprehensive conceptual framework for her ideas.

ii) Wollstonecraft divided human attributes into natural and non-natural characteristics. Society plays a major role in guiding the development of individuals, and thus may either be beneficial in fostering natural characteristics or harmful in distorting human nature. A rationally constructed society, then, can be a powerful force for progress.

Artificial distinctions between the sexes are, for Wollstonecraft, a key example of social corruption of human nature, giving rise to social injustice and personal immorality, and preventing individuals from developing their full natural potential.

iii) Among the currents in eighteenth-century thought that influenced Wollstonecraft was the notion of sensibility—a term then widely used to refer to a heightened sensitivity or responsiveness towards aspects of one's environment, especially beauty, moral truth, or emotional tone. Sensibility was often considered a sign of fragility—those sensible to their environment in these ways might easily be overcome by their heightened experiences. But it was also considered by many to be a virtue, and those possessing it to display a kind of perceptiveness lacking in those less sensitive.

Some Common Misconceptions

i) Wollstonecraft would not have called herself a feminist—the word did not come into currency until the end of the nineteenth century—and it is unclear to what extent she can be treated as a thinker putting forward an early version of modern feminism. Certainly, she needs to be seen in the context of her own time as well as through the lens of modern feminism. Wollstonecraft did not argue for equal political or economic rights for men and women, and she did not argue that women should be allowed the vote. Although she generally thought of men and women as being, innately, mental and moral equals, she acknowledged that men were typically stronger than women, and believed them also to be physically braver than women.

ii) Wollstonecraft is often identified with the liberal tradition in feminism, particularly because of her debt to John Locke's thought on education and her emphasis on the rational, self-determining individual as the key unit of society. But she also placed heavy emphasis on the familial and civic duties of women, as well as their rights, and was sensitive to the need for bringing change to, as it were, indirectly oppressive social structures such as *male* education.

iii) In most of her writings, Wollstonecraft also differs from modern writers on the same topics in that she focuses on the plight of middle-class (Western) women, and shows no signs of an awareness that women may share similar interests, in virtue of their gender, no matter what their income-level or ethnicity. However, her final, uncompleted novel *Maria* contains some hints that Wollstonecraft had begun to take more seriously the similarities between the oppression of middle-class and of poor women.

iv) The notion that men and women should be treated as equally rational and educated along similar lines may seem banal today in modern Western democracies, but in Wollstonecraft's day it emphatically was not. Wollstonecraft was responding to popular conduct-books, such as James Fordyce's *Sermons for Young Women* (1760) and John Gregory's *A Father's Legacy to His Daughters* (1774), and to educational philosophers such as Rousseau, who notoriously wrote in book 5 of *Émile* (1762) that "all the education of women must be relative to men. To please them, to be useful to them, to make oneself loved and honored by them, to raise them when they are young, to care for them when they are grown ... these are the duties of women at all times and what one ought to teach them from their childhood."

How Important and Influential Is This Work?

Mary Wollstonecraft's reputation—never very secure during her own lifetime—was heavily affected by her husband's memoir of her "scandalous" and emotionally turbulent life. For many decades, she was, more than anything else, a figure of derision and pity (see, e.g., Richard Polwhele's 1798 poem "The Unsex'd Females"). In the late nineteenth century, figures within the nascent feminist movement rediscovered the power of her ideas—and, for some, the inspirational example of her own unconventional life story. (For example, Virginia Woolf praised Wollstonecraft for her "experiments in living.") By the 1970s Wollstonecraft was recognized as a trail blazer for modern feminism. A further re-evaluation of Wollstonecraft occurred in the 1990s, with more focus on her ideas and the source of those ideas in the intellectual currents of the eighteenth century. Today, *A Vindication of the Rights of Woman* is considered a classic in the history of Western thought, and an important bridge between Enlightenment and Romantic ideas.

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A Vindication of the Rights of Woman: With Strictures on Political and Moral Subjects (1792)

To M. Talleyrand-Pélleyrand-Périgord, Late Bishop of Autun[1]

Sir,

Having read with great pleasure a pamphlet which you have lately published,[2] I dedicate this volume to you; to induce you to reconsider the subject, and maturely weigh what I have advanced respecting the rights of woman and national education: and I call with the firm tone of humanity; for my arguments, Sir, are dictated by a disinterested spirit—I plead for my sex—not for myself. Independence I have long considered as the grand blessing of life, the basis of every virtue—and independence I will ever secure by contracting my wants, though I were to live on a barren heath.

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[1] *M. Talleyrand-Pélleyrand-Périgord, Late Bishop of Autun* Charles-Maurice de Talleyrand-Périgord (1754–1838) was made Bishop of Autun in 1788. As minister of finance in the French revolutionary government, he initiated the confiscation of church property that so exercised Burke in *Reflections on the Revolution in France*. He resigned his bishopric in January 1791 and was excommunicated that April.

[2] *pamphlet which you have lately published* The pamphlet referred to was entitled *Rapport sur l'instruction publique, fait au nom du Comité de Constitution à l'Assemblée Nationale, les 10, 11, et 19*

It is then an affection for the whole human race that makes my pen dart rapidly along to support what I believe to be the cause of virtue: and the same motive leads me earnestly to wish to see woman placed in a station in which she would advance, instead of retarding, the progress of those glorious principles that give a substance to morality. My opinion, indeed, respecting the rights and duties of woman, seems to flow so naturally from these simple principles, that I think it scarcely possible, but that some of the enlarged minds who formed your admirable constitution, will coincide with me.

In France there is undoubtedly a more general diffusion of knowledge than in any part of the European world, and I attribute it, in a great measure, to the social intercourse which has long subsisted between the sexes. It is true, I utter my sentiments with freedom, that in France the very essence of sensuality has been extracted to regale the voluptuary, and a kind of sentimental lust has prevailed, which, together with the system of duplicity that the whole tenor of their political and civil government taught, have given a sinister sort of sagacity to the French character, properly termed finesse; from which naturally flow a polish of manners that injures the substance, by hunting sincerity out of society.—And, modesty, the fairest garb of virtue! has been more grossly insulted in France than even in England, till their women have treated as *prudish* that attention to decency, which brutes instinctively observe.

Manners and morals are so nearly allied that they have often been confounded; but, though the former should only be the natural reflection of the latter, yet, when various causes have produced factitious and corrupt manners, which are very early caught, morality becomes an empty name. The personal reserve, and sacred respect for cleanliness and delicacy in domestic life, which French women almost despise, are the graceful pillars of modesty; but, far from despising them, if the pure flame of patriotism have reached their bosoms, they should labor to improve the morals of their fellow-citizens, by teaching men, not only to respect modesty in women, but to acquire it themselves, as the only way to merit their esteem.

Contending for the rights of woman, my main argument is built on this simple principle, that if she be not prepared by education to become the companion of man, she will stop the progress of knowledge and virtue; for truth must be common to all, or it will be inefficacious with respect to its influence on general practice. And how can woman be expected to co-operate unless she know why she ought to be virtuous? unless freedom strengthen her reason till she comprehend her duty, and see in what manner it is connected with her real good? If children are to be educated to understand the true principle of patriotism, their mother must be a patriot; and the love of mankind, from which an orderly train of virtues spring, can only be produced by considering the moral and civil interest of mankind; but the education and situation of woman, at present, shuts her out from such investigations.

In this work I have produced many arguments, which to me were conclusive, to prove that the prevailing notion respecting a sexual[1] character was subversive of morality, and I have contended, that to render the human body and mind more perfect, chastity must more universally prevail, and that chastity will never be respected in the male world till the person of a woman is not, as it were, idolized, when little virtue or sense embellish it with the grand traces of mental beauty, or the interesting simplicity of affection.

Consider, Sir, dispassionately, these observations—for a glimpse of this truth seemed to open before you when you observed, "that to see one half of the human race excluded by the other from all participation of government, was a political phenomenon that, according to abstract principles, it was impossible to explain."[2] If so, on what does your constitution rest? If the abstract rights of man will bear discussion and explanation, those of woman, by a parity of reasoning, will not shrink from the same test:

Septembre 1791, par M. de Talleyrand-Périgord, Ancien Évêque d'Autun. (*Report on public instruction, written in the name of the Constitutional Committee of the National Assembly, September, 10, 11, and 19, by Mr. de Talleyrand-Périgord, Late Bishop of Autun.*) Talleyrand prepared the report with the help of such distinguished thinkers as Condorcet and Laplace.

[1] *sexual* Wollstonecraft almost always uses this word to mean "gender-specific."

[2] *that to see one half ... impossible to explain* Talleyrand, *Rapport* 118 (Appendix B.1.2). The French constitution of 1791 recognized only men over 25 as citizens; French women did not get the vote until 1944.

though a different opinion prevails in this country, built on the very arguments which you use to justify the oppression of woman—prescription.

Consider, I address you as a legislator, whether, when men contend for their freedom, and to be allowed to judge for themselves respecting their own happiness, it be not inconsistent and unjust to subjugate women, even though you firmly believe that you are acting in the manner best calculated to promote their happiness? Who made man the exclusive judge, if woman partake with him the gift of reason?

In this style, argue tyrants of every denomination, from the weak king to the weak father of a family; they are all eager to crush reason; yet always assert that they usurp its throne only to be useful. Do you not act a similar part, when you *force* all women, by denying them civil and political rights, to remain immured in their families groping in the dark? for surely, Sir, you will not assert, that a duty can be binding which is not founded on reason? If indeed this be their destination, arguments may be drawn from reason: and thus augustly supported, the more understanding women acquire, the more they will be attached to their duty—comprehending it—for unless they comprehend it, unless their morals be fixed on the same immutable principle as those of man, no authority can make them discharge it in a virtuous manner. They may be convenient slaves, but slavery will have its constant effect, degrading the master and the abject dependent.

But, if women are to be excluded, without having a voice, from a participation of the natural rights of mankind, prove first, to ward off the charge of injustice and inconsistency, that they want reason—else this flaw in your new constitution will ever show that man must, in some shape, act like a tyrant, and tyranny, in whatever part of society it rears its brazen front, will ever undermine morality.

I have repeatedly asserted, and produced what appeared to me irrefragable[1] arguments drawn from matters of fact, to prove my assertion, that women cannot, by force, be confined to domestic concerns; for they will, however ignorant, intermeddle with more weighty affairs, neglecting private duties only to disturb, by cunning tricks, the orderly plans of reason which rise above their comprehension.

Besides, whilst they are only made to acquire personal accomplishments, men will seek for pleasure in variety, and faithless husbands will make faithless wives; such ignorant beings, indeed, will be very excusable when, not taught to respect public good, nor allowed any civil rights, they attempt to do themselves justice by retaliation.

The box of mischief thus opened in society, what is to preserve private virtue, the only security of public freedom and universal happiness?

Let there be then no coercion *established* in society, and the common law of gravity prevailing, the sexes will fall into their proper places. And, now that more equitable laws are forming your citizens, marriage may become more sacred: your young men may choose wives from motives of affection, and your maidens allow love to root out vanity.

The father of a family will not then weaken his constitution and debase his sentiments, by visiting the harlot, nor forget, in obeying the call of appetite, the purpose for which it was implanted. And, the mother will not neglect her children to practice the arts of coquetry, when sense and modesty secure her the friendship of her husband.

But, till men become attentive to the duty of a father, it is vain to expect women to spend that time in their nursery which they, "wise in their generation,"[2] choose to spend at their glass; for this exertion of cunning is only an instinct of nature to enable them to obtain indirectly a little of that power of which they are unjustly denied a share: for, if women are not permitted to enjoy legitimate rights, they will render both men and themselves vicious, to obtain illicit privileges.

I wish, Sir, to set some investigations of this kind afloat in France; and should they lead to a confirmation of my principles, when your constitution is revised the Rights of Woman may be respected, if it be fully proved that reason calls for this respect, and loudly demands justice for one half of the human race.

I am, Sir,
Yours respectfully,
M.W.

Advertisement

When I began to write this work, I divided it into three parts, supposing that one volume would contain a full discussion of the arguments which seemed to me to rise naturally from a few simple principles; but fresh illustrations occurring as I advanced, I now present only the first part to the public.

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[1] *irrefragable* Irrefutable.

[2] *wise in their generation* Luke 16.8.

Many subjects, however, which I have cursorily alluded to, call for particular investigation, especially the laws relative to women, and the consideration of their peculiar duties. These will furnish ample matter for a second volume, which in due time will be published, to elucidate some of the sentiments, and complete many of the sketches begun in the first.[1]

Introduction

After considering the historic page, and viewing the living world with anxious solicitude, the most melancholy emotions of sorrowful indignation have depressed my spirits, and I have sighed when obliged to confess, that either nature has made a great difference between man and man, or that the civilization which has hitherto taken place in the world has been very partial. I have turned over various books written on the subject of education, and patiently observed the conduct of parents and the management of schools; but what has been the result?—a profound conviction that the neglected education of my fellow-creatures is the grand source of the misery I deplore; and that women, in particular, are rendered weak and wretched by a variety of concurring causes, originating from one hasty conclusion. The conduct and manners of women, in fact, evidently prove that their minds are not in a healthy state; for, like the flowers which are planted in too rich a soil, strength and usefulness are sacrificed to beauty; and the flaunting leaves, after having pleased a fastidious eye, fade, disregarded on the stalk, long before the season when they ought to have arrived at maturity.—One cause of this barren blooming I attribute to a false system of education, gathered from the books written on this subject by men who, considering females rather as women than human creatures, have been more anxious to make them alluring mistresses than affectionate wives and rational mothers; and the understanding of the sex has been so bubbled by this specious homage, that the civilized women of the present century, with a few exceptions, are only anxious to inspire love, when they ought to cherish a nobler ambition, and by their abilities and virtues exact respect.

In a treatise, therefore, on female rights and manners, the works which have been particularly written for their improvement must not be overlooked; especially when it is asserted, in direct terms, that the minds of women are enfeebled by false refinement; that the books of instruction, written by men of genius, have had the same tendency as more frivolous productions; and that, in the true style of Mahometanism,[2] they are treated as a kind of subordinate beings, and not as a part of the human species, when improveable reason is allowed to be the dignified distinction which raises men above the brute creation, and puts a natural scepter in a feeble hand.

Yet, because I am a woman, I would not lead my readers to suppose that I mean violently to agitate the contested question respecting the equality or inferiority of the sex; but as the subject lies in my way, and I cannot pass it over without subjecting the main tendency of my reasoning to misconstruction, I shall stop a moment to deliver, in a few words, my opinion.—In the government of the physical world it is observable that the female in point of strength is, in general, inferior to the male. This is the law of nature; and it does not appear to be suspended or abrogated in favor of woman. A degree of physical superiority cannot, therefore, be denied—and it is a noble prerogative! But not content with this natural pre-eminence, men endeavor to sink us still lower, merely to render us alluring objects for a moment; and women, intoxicated by the adoration which men, under the influence of their senses, pay them, do not seek to obtain a durable interest in their hearts, or to become the friends of the fellow creatures who find amusement in their society.

I am aware of an obvious inference—from every quarter have I heard exclamations against masculine women; but where are they to be found? If by this appellation men mean to inveigh against their ardor in hunting, shooting, and gaming, I shall most cordially join in the cry; but if it be against the imitation of manly virtues, or, more properly speaking, the attainment of those talents and virtues, the exercise of which ennobles the human character, and which raise females in the scale of animal being, when they are comprehensively termed mankind;—all those who view them with a philosophic eye must, I should think, wish with me, that they may every day grow more and more masculine.

This discussion naturally divides the subject. I shall first consider women in the grand light of human creatures, who, in common with men, are placed on this earth to unfold their faculties; and afterwards I shall more particularly point out their peculiar designation.

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[1] *sketches begun in the first* The second volume was never written; most scholars assume its place was taken by Wollstonecraft's unfinished novel *Maria; or, The Wrongs of Woman* (1798), which devotes considerable attention to "the laws relative to women."

[2] *Mahometanism* Islam.

I wish also to steer clear of an error which many respectable writers have fallen into; for the instruction which has hitherto been addressed to women, has rather been applicable to *ladies*, if the little indirect advice, that is scattered through Sandford and Merton,[1] be excepted; but, addressing my sex in a firmer tone, I pay particular attention to those in the middle class, because they appear to be in the most natural state. Perhaps the seeds of false-refinement, immorality, and vanity, have ever been shed by the great. Weak, artificial beings, raised above the common wants and affections of their race, in a premature unnatural manner, undermine the very foundation of virtue, and spread corruption through the whole mass of society! As a class of mankind they have the strongest claim to pity; the education of the rich tends to render them vain and helpless, and the unfolding mind is not strengthened by the practice of those duties which dignify the human character.—They only live to amuse themselves, and by the same law which in nature invariably produces certain effects, they soon only afford barren amusement.

But as I purpose taking a separate view of the different ranks of society, and of the moral character of women, in each, this hint is, for the present, sufficient; and I have only alluded to the subject, because it appears to me to be the very essence of an introduction to give a cursory account of the contents of the work it introduces.

My own sex, I hope, will excuse me, if I treat them like rational creatures, instead of flattering their *fascinating* graces, and viewing them as if they were in a state of perpetual childhood, unable to stand alone. I earnestly wish to point out in what true dignity and human happiness consists—I wish to persuade women to endeavor to acquire strength, both of mind and body, and to convince them that the soft phrases, susceptibility of heart, delicacy of sentiment, and refinement of taste, are almost synonymous with epithets of weakness, and that those beings who are only the objects of pity and that kind of love, which has been termed its sister, will soon become objects of contempt.

Dismissing then those pretty feminine phrases, which the men condescendingly use to soften our slavish dependence, and despising that weak elegancy of mind, exquisite sensibility, and sweet docility of manners, supposed to be the sexual characteristics of the weaker vessel, I wish to show that elegance is inferior to virtue, that the first object of laudable ambition is to obtain a character as a human being, regardless of the distinction of sex; and that secondary views should be brought to this simple touchstone.

This is a rough sketch of my plan; and should I express my conviction with the energetic emotions that I feel whenever I think of the subject, the dictates of experience and reflection will be felt by some of my readers. Animated by this important object, I shall disdain to cull my phrases or polish my style;—I aim at being useful, and sincerity will render me unaffected; for, wishing rather to persuade by the force of my arguments, than dazzle by the elegance of my language, I shall not waste my time in rounding periods, or in fabricating the turgid bombast of artificial feelings, which, coming from the head, never reach the heart.—I shall be employed about things, not words!—and, anxious to render my sex more respectable members of society, I shall try to avoid that flowery diction which has slided from essays into novels, and from novels into familiar letters and conversation.

These pretty superlatives, dropping glibly from the tongue, vitiate the taste, and create a kind of sickly delicacy that turns away from simple unadorned truth; and a deluge of false sentiments and overstretched feelings, stifling the natural emotions of the heart, render the domestic pleasures insipid, that ought to sweeten the exercise of those severe duties, which educate a rational and immortal being for a nobler field of action.

The education of women has, of late, been more attended to than formerly; yet they are still reckoned a frivolous sex, and ridiculed or pitied by the writers who endeavor by satire or instruction to improve them. It is acknowledged that they spend many of the first years of their lives in acquiring a smattering of accomplishments; meanwhile strength of body and mind are sacrificed to libertine notions of beauty, to the desire of establishing themselves—the only way women can rise in the world—by marriage. And this desire making mere animals of them, when they marry they act as such children may be expected to act—they dress; they paint, and nickname God's creatures.—Surely these weak beings are only fit for a seraglio!—Can they be expected to govern a family with judgment, or take care of the poor babes whom they bring into the world?

If then it can be fairly deduced from the present conduct of the sex, from the prevalent fondness for pleasure which takes place of ambition and those nobler passions that open and enlarge the soul; that the instruction which women have hitherto received has only tended, with the constitution of civil society, to render them insignificant objects of desire—mere propagators of fools!—if it can be proved that in aiming to accomplish them, without cultivating their understandings, they are taken out of their sphere of duties, and made ridiculous and useless when the short-lived bloom of beauty is over,[1] I presume that *rational* men will excuse me for endeavoring to persuade them to become more masculine and respectable.

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[1] *Sandford and Merton* Thomas Day (1748–89), *The History of Sandford and Merton*, 3 vols. (1783–89), a moral tale written for nineteenth-century children. Wollstonecraft reviewed the third volume for the *Analytical Review.*

Indeed the word masculine is only a bugbear: there is little reason to fear that women will acquire too much courage or fortitude; for their apparent inferiority with respect to bodily strength, must render them, in some degree, dependent on men in the various relations of life; but why should it be increased by prejudices that give a sex to virtue, and confound simple truths with sensual reveries?

Women are, in fact, so much degraded by mistaken notions of female excellence, that I do not mean to add a paradox when I assert, that this artificial weakness produces a propensity to tyrannize, and gives birth to cunning, the natural opponent of strength, which leads them to play off those contemptible infantine airs that undermine esteem even whilst they excite desire. Let men become more chaste and modest, and if women do not grow wiser in the same ratio, it will be clear that they have weaker understandings. It seems scarcely necessary to say, that I now speak of the sex in general. Many individuals have more sense than their male relatives; and, as nothing preponderates where there is a constant struggle for an equilibrium, without it has naturally more gravity, some women govern their husbands without degrading themselves, because intellect will always govern.

from *Part 1*

from Chapter 1: The Rights and Involved Duties of Mankind Considered

In the present state of society it appears necessary to go back to first principles in search of the most simple truths, and to dispute with some prevailing prejudice every inch of ground. To clear my way, I must be allowed to ask some plain questions, and the answers will probably appear as unequivocal as the axioms on which reasoning is built; though, when entangled with various motives of action, they are formally contradicted, either by the words or conduct of men.

In what does man's pre-eminence over the brute creation consist? The answer is as clear as that a half is less than the whole; in Reason.

What acquirement exalts one being above another? Virtue; we spontaneously reply.

For what purpose were the passions implanted? That man by struggling with them might attain a degree of knowledge denied to the brutes; whispers Experience.

Consequently the perfection of our nature and capability of happiness, must be estimated by the degree of reason, virtue, and knowledge, that distinguish the individual, and direct the laws which bind society: and that from the exercise of reason, knowledge and virtue naturally flow, is equally undeniable, if mankind be viewed collectively.

The rights and duties of man thus simplified, it seems almost impertinent to attempt to illustrate truths that appear so incontrovertible; yet such deeply rooted prejudices have clouded reason, and such spurious qualities have assumed the name of virtues, that it is necessary to pursue the course of reason as it has been perplexed and involved in error, by various adventitious circumstances, comparing the simple axiom with casual deviations.

Men, in general, seem to employ their reason to justify prejudices, which they have imbibed, they can scarcely trace how, rather than to root them out. The mind must be strong that resolutely forms its own principles; for a kind of intellectual cowardice prevails which makes many men shrink from the task, or only do it by halves. Yet the imperfect conclusions thus drawn, are frequently very plausible, because they are built on partial experience, on just, though narrow, views.

Going back to first principles, vice skulks, with all its native deformity, from close investigation; but a set of shallow reasoners are always exclaiming that these arguments prove too much, and that a measure rotten at the core may be expedient. Thus expediency is continually contrasted with simple principles, till truth is lost in a mist of words, virtue, in forms, and knowledge rendered a sounding nothing, by the specious prejudices that assume its name.

That the society is formed in the wisest manner, whose constitution is founded on the nature of man, strikes, in the abstract, every thinking being so forcibly, that it looks like presumption to endeavor to bring forward proofs; though proof must be brought, or the strong hold of prescription will never be forced by reason; yet to urge prescription as an argument to justify the depriving men (or women) of their natural rights, is one of the absurd sophisms which daily insult common sense.

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[1] *when the short-lived bloom of beauty is over* [Wollstonecraft's note] A lively writer, I cannot recollect his name, asks what business women turned of forty have to do in the world? [Wollstonecraft may be thinking of a remark made by Lord Merton, a character in Frances Burney (1752–1840), *Evelina; or, The History of a Young Lady's Entrance into the World* (1778), Vol. 3, letter 1.]

The civilization of the bulk of the people of Europe is very partial; nay, it may be made a question, whether they have acquired any virtues in exchange for innocence, equivalent to the misery produced by the vices that have been plastered over unsightly ignorance, and the freedom which has been bartered for splendid slavery. The desire of dazzling by riches, the most certain pre-eminence that man can obtain, the pleasure of commanding flattering sycophants, and many other complicated low calculations of doting self-love, have all contributed to overwhelm the mass of mankind, and make liberty a convenient handle for mock patriotism. For whilst rank and titles are held of the utmost importance, before which Genius "must hide its diminished head,"[1] it is, with a few exceptions, very unfortunate for a nation when a man of abilities, without rank or property, pushes himself forward to notice.—Alas! what unheard of misery have thousands suffered to purchase a cardinal's hat for an intriguing obscure adventurer, who longed to be ranked with princes, or lord it over them by seizing the triple crown![2]

Such, indeed, has been the wretchedness that has flowed from hereditary honors, riches, and monarchy, that men of lively sensibility have almost uttered blasphemy in order to justify the dispensations of providence. Man has been held out as independent of his power who made him, or as a lawless planet darting from its orbit to steal the celestial fire of reason; and the vengeance of heaven, lurking in the subtle flame, like Pandora's pent up mischiefs, sufficiently punished his temerity, by introducing evil into the world.[3]

Impressed by this view of the misery and disorder which pervaded society, and fatigued with jostling against artificial fools, Rousseau became enamored of solitude, and, being at the same time an optimist, he labors with uncommon eloquence to prove that man was naturally a solitary animal.[4] Misled by his respect for the goodness of God, who certainly—for what man of sense and feeling can doubt it!—gave life only to communicate happiness, he considers evil as positive, and the work of man; not aware that he was exalting one attribute at the expense of another, equally necessary to divine perfection.

Reared on a false hypothesis his arguments in favor of a state of nature are plausible, but unsound. I say unsound; for to assert that a state of nature is preferable to civilization, in all its possible perfection, is, in other words, to arraign supreme wisdom; and the paradoxical exclamation, that God has made all things right, and that error has been introduced by the creature, whom he formed,[5] knowing what he formed, is as unphilosophical as impious.

When that wise Being who created us and placed us here, saw the fair idea, he willed, by allowing it to be so, that the passions should unfold our reason, because he could see that present evil would produce future good. Could the helpless creature whom he called from nothing break loose from his providence, and boldly learn to know good by practicing evil, without his permission? No.—How could that energetic advocate for immortality argue so inconsistently?[6] Had mankind remained for ever in the brutal state of nature, which even his magic pen cannot paint as a state in which a single virtue took root, it would have been clear, though not to the sensitive unreflecting wanderer, that man was born to run the circle of life and death, and adorn God's garden for some purpose which could not easily be reconciled with his attributes.

But if, to crown the whole, there were to be rational creatures produced, allowed to rise in excellence by the exercise of powers implanted for that purpose; if benignity itself thought fit to call into existence a creature above the brutes,[7] who could think and improve himself, why should that inestimable gift, for a gift it was, if man was so created as to have a capacity to rise above the state in which sensation produced brutal ease, be called, in direct terms, a curse? A curse it might be reckoned, if the whole of our existence were bounded by our continuance in this world; for why should the gracious fountain of life[1] give us passions, and the power of reflecting, only to imbitter our days and inspire us with mistaken notions of dignity? Why should he lead us from love of ourselves to the sublime emotions which the discovery of his wisdom and goodness excites, if these feelings were not set in motion to improve our nature, of which they make a part,[2] and render us capable of enjoying a more godlike portion of happiness? Firmly persuaded that no evil exists in the world that God did not design to take place, I build my belief on the perfection of God.

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[1] *must hide its diminished head* Milton, *Paradise Lost* 4.35.

[2] *triple crown* The papal tiara.

[3] *Pandora's pent up mischiefs ... evil into the world* In the Greek myth, Prometheus stole fire from heaven for the benefit of humanity. Zeus punished the theft by sending Pandora, the first woman, whose curiosity led her to open the "box of mischief," thus introducing evil into human life.

[4] *solitary animal* Rousseau expresses his love of solitude in *Confessions* (1781–88) Books 8 and 9. Wollstonecraft reviewed the second part, which includes these books (*Works* 7: 228–34). Rousseau sets out his theory that humans are naturally solitary in *Discourse on the Origin and Foundations of Inequality among Men* (1755).

[5] *and the paradoxical exclamation ... whom he formed* This is a paraphrase of the first sentence of Book 1 of Rousseau, *Émile*, 37.

[6] *How could that energetic advocate ... so inconsistently* See "Profession of Faith of the Savoyard Vicar," in Rousseau, *Émile*.

[7] *above the brutes* [Wollstonecraft's note] Contrary to the opinion of anatomists, who argue by analogy from the formation of the teeth, stomach, and intestines, Rousseau will not allow a man to be a carnivorous animal. And, carried away from nature by a love of system, he disputes whether man be a gregarious animal,

Rousseau exerts himself to prove that all *was* right originally: a crowd of authors that all *is* now right: and I, that all will *be* right.

But, true to his first position, next to a state of nature, Rousseau celebrates barbarism, and apostrophizing the shade of Fabricius,[3] he forgets that, in conquering the world, the Romans never dreamed of establishing their own liberty on a firm basis, or of extending the reign of virtue. Eager to support his system, he stigmatizes, as vicious, every effort of genius; and, uttering the apotheosis of savage virtues, he exalts those to demi-gods, who were scarcely human—the brutal Spartans, who, in defiance of justice and gratitude, sacrificed, in cold blood, the slaves who had shown themselves heroes to rescue their oppressors.[4]

Disgusted with artificial manners and virtues, the citizen of Geneva,[5] instead of properly sifting the subject, threw away the wheat with the chaff,[6] without waiting to inquire whether the evils which his ardent soul turned from indignantly, were the consequence of civilization or the vestiges of barbarism. He saw vice trampling on virtue, and the semblance of goodness taking place of the reality; he saw talents bent by power to sinister purposes, and never thought of tracing the gigantic mischief up to arbitrary power, up to the hereditary distinctions that clash with the mental superiority that naturally raises a man above his fellows. He did not perceive that regal power, in a few generations, introduces idiotism into the noble stem, and holds out baits to render thousands idle and vicious.

[...]

Society, therefore, as it becomes more enlightened, should be very careful not to establish bodies of men who must necessarily be made foolish or vicious by the very constitution of their profession.

In the infancy of society, when men were just emerging out of barbarism, chiefs and priests, touching the most powerful springs of savage conduct, hope and fear, must have had unbounded sway. An aristocracy, of course, is naturally the first form of government. But, clashing interests soon losing their equipoise, a monarchy and hierarchy break out of the confusion of ambitious struggles, and the foundation of both is secured by feudal tenures. This appears to be the origin of monarchical and priestly power, and the dawn of civilization. But such combustible materials cannot long be pent up; and, getting vent in foreign wars and intestine insurrections, the people acquire some power in the tumult, which obliges their rulers to gloss over their oppression with a show of right. Thus, as wars, agriculture, commerce, and literature, expand the mind, despots are compelled, to make covert corruption hold fast the power which was formerly snatched by open

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though the long and helpless state of infancy seems to point him out as particularly impelled to pair, the first step towards herding.

[1] *gracious fountain of life* See Psalms 36.9 and Proverbs 14.27.

[2] *make a part* [Wollstonecraft's note] What would you say to a mechanic whom you had desired to make a watch to point out the hour of the day, if, to show his ingenuity, he added wheels to make it a repeater, etc. that perplexed the simple mechanism; should he urge, to excuse himself—had you not touched a certain spring, you would have known nothing of the matter, and that he should have amused himself by making *an experiment* without doing you any harm: would you not retort fairly upon him, by insisting that if he had not added those needless wheels and springs, the accident could not have happened? [A "repeater" was a watch that could strike the hour. The watch-maker analogy was a commonplace of eighteenth-century natural religion.]

[3] *Fabricius* Rousseau addresses the shade of Gaius Fabricius (third century BCE), the virtuous Roman, who urged his countrymen to conquer the world, in *Discourse on the Sciences and Arts* (1750).

[4] *brutal Spartans ... rescue their oppressors* During the Peloponnesian War, the Spartans invited their slaves to pick out those who had most distinguished themselves in fighting against the Athenians; two thousand were chosen. Instead of giving them their freedom, as they had promised, the Spartans murdered them, on the grounds that they were the most high-spirited and likely to rebel (Thucydides, *The Peloponnesian War* 4.14.81).

[5] *citizen of Geneva* This is how Rousseau identifies himself on the title pages of both *Discourses*.

[6] *wheat with the chaff* See Matthew 3.12.

force.[1] And this baneful lurking gangrene is most quickly spread by luxury and superstition, the sure dregs of ambition. The indolent puppet of a court first becomes a luxurious monster, or fastidious sensualist, and then makes the contagion which his unnatural state spread, the instrument of tyranny.

It is the pestiferous[2] purple which renders the progress of civilization a curse, and warps the understanding, till men of sensibility doubt whether the expansion of intellect produces a greater portion of happiness or misery. But the nature of the poison points out the antidote; and had Rousseau mounted one step higher in his investigation, or could his eye have pierced through the foggy atmosphere, which he almost disdained to breathe, his active mind would have darted forward to contemplate the perfection of man in the establishment of true civilization, instead of taking his ferocious flight back to the night of sensual ignorance.

from Chapter 2: The Prevailing Opinion of a Sexual Character Discussed

To account for, and excuse the tyranny of man, many ingenious arguments have been brought forward to prove, that the two sexes, in the acquirement of virtue, ought to aim at attaining a very different character: or, to speak explicitly, women are not allowed to have sufficient strength of mind to acquire what really deserves the name of virtue. Yet it should seem, allowing them to have souls, that there is but one way appointed by Providence to lead *mankind* to either virtue or happiness.

If then women are not a swarm of ephemeron triflers, why should they be kept in ignorance under the specious name of innocence? Men complain, and with reason, of the follies and caprices of our sex, when they do not keenly satirize our headstrong passions and groveling vices.—Behold, I should answer, the natural effect of ignorance! The mind will ever be unstable that has only prejudices to rest on, and the current will run with destructive fury when there are no barriers to break its force. Women are told from their infancy, and taught by the example of their mothers, that a little knowledge of human weakness, justly termed cunning, softness of temper, *outward* obedience, and a scrupulous attention to a puerile kind of propriety, will obtain for them the protection of man; and should they be beautiful, every thing else is needless, for, at least, twenty years of their lives.

Thus Milton describes our first frail mother; though when he tells us that women are formed for softness and sweet attractive grace,[3] I cannot comprehend his meaning, unless, in the true Mahometan strain, he meant to deprive us of souls, and insinuate that we were beings only designed by sweet attractive grace, and docile blind obedience, to gratify the senses of man when he can no longer soar on the wing of contemplation.

How grossly do they insult us who thus advise us only to render ourselves gentle, domestic brutes! For instance, the winning softness so warmly, and frequently, recommended, that governs by obeying. What childish expressions, and how insignificant is the being—can it be an immortal one? who will condescend to govern by such sinister methods! "Certainly," says Lord Bacon, "man is of kin to the beasts by his body; and if he be not of kin to God by his spirit, he is a base and ignoble creature!"[4] Men, indeed, appear to me to act in a very unphilosophical manner when they try to secure the good conduct of women by attempting to keep them always in a state of childhood. Rousseau was more consistent when he wished to stop the progress of reason in both sexes, for if men eat of the tree of knowledge, women will come in for a taste;[5] but, from the imperfect cultivation which their understandings now receive, they only attain a knowledge of evil.

Children, I grant, should be innocent; but when the epithet is applied to men, or women, it is but a civil term for weakness. For if it be allowed that women were destined by Providence to acquire human virtues, and by the exercise of their understandings, that stability of character which is the firmest ground to rest our future hopes upon, they must be permitted to turn to the fountain of light, and not forced to shape their course by the twinkling of a mere satellite. Milton, I grant, was of a very different opinion; for he only bends to the indefeasible right of beauty, though it would be difficult to render two passages which I now mean to contrast, consistent. But into similar inconsistencies are great men often led by their senses.

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[1] *Thus, as wars ... snatched by open force* [Wollstonecraft's note] Men of abilities scatter seeds that grow up and have a great influence on the forming opinion; and when once the public opinion preponderates, through the exertion of reason, the overthrow of arbitrary power is not very distant.

[2] *pestiferous* Pernicious; bringing disease.

[3] *Thus Milton describes ... sweet attractive grace* Milton, *Paradise Lost* 4.297–98.

[4] *man is of kin ... base and ignoble creature* Francis Bacon (1561–1626), *Essays or Counsels Civil and Moral* (1625), Essay 16, "Of Atheism."

[5] *if men eat ... for a taste* See Genesis 2–3.

> To whom thus Eve with *perfect beauty* adorn'd.
> My Author and Disposer, what thou bidst
> *Unargued* I obey; so God ordains;
> God is *thy law, thou mine*: to know no more
> Is Woman's *happiest* knowledge and her *praise*.[1]

These are exactly the arguments that I have used to children; but I have added, your reason is now gaining strength, and, till it arrives at some degree of maturity, you must look up to me for advice—then you ought to *think*, and only rely on God.

Yet in the following lines Milton seems to coincide with me; when he makes Adam thus expostulate with his Maker.

> Hast thou not made me here thy substitute,
> And these inferior far beneath me set?
> Among *unequals* what society
> Can sort, what harmony or true delight?
> Which must be mutual, in proportion due
> Giv'n and receiv'd; but in *disparity*
> The one intense, the other still remiss
> Cannot well suit with either, but soon prove
> Tedious alike: of *fellowship* I speak
> Such as I seek, fit to participate
> All rational delight—[2]

In treating, therefore, of the manners of women, let us, disregarding sensual arguments, trace what we should endeavor to make them in order to co-opérate, if the expression be not too bold, with the supreme Being.

By individual education, I mean, for the sense of the word is not precisely defined, such an attention to a child as will slowly sharpen the senses, form the temper, regulate the passions as they begin to ferment, and set the understanding to work before the body arrives at maturity; so that the man may only have to proceed, not to begin, the important task of learning to think and reason.

To prevent any misconstruction, I must add, that I do not believe that a private education can work the wonders which some sanguine writers have attributed to it. Men and women must be educated, in a great degree, by the opinions and manners of the society they live in. In every age there has been a stream of popular opinion that has carried all before it, and given a family character, as it were, to the century. It may then fairly be inferred, that, till society be differently constituted, much cannot be expected from education. It is, however, sufficient for my present purpose to assert, that, whatever effect circumstances have on the abilities, every being may become virtuous by the exercise of its own reason; for if but one being was created with vicious inclinations, that is positively bad, what can save us from atheism? or if we worship a God, is not that God a devil?

Consequently, the most perfect education, in my opinion, is such an exercise of the understanding as is best calculated to strengthen the body and form the heart. Or, in other words, to enable the individual to attain such habits of virtue as will render it independent. In fact, it is a farce to call any being virtuous whose virtues do not result from the exercise of its own reason. This was Rousseau's opinion respecting men:[3] I extend it to women, and confidently assert that they have been drawn out of their sphere by false refinement, and not by an endeavor to acquire masculine qualities. Still the regal homage which they receive is so intoxicating, that till the manners of the times are changed, and formed on more reasonable principles, it may be impossible to convince them that the illegitimate power, which they obtain, by degrading themselves, is a curse, and that they must return to nature and equality, if they wish to secure the placid satisfaction that unsophisticated affections impart. But for this epoch we must wait—wait, perhaps, till kings and nobles, enlightened by reason, and, preferring the real dignity of man to childish state, throw off their gaudy hereditary trappings: and if then women do not resign the arbitrary power of beauty—they will prove that they have *less* mind than man.

I may be accused of arrogance; still I must declare what I firmly believe, that all the writers who have written on the subject of female education and manners from Rousseau to Dr. Gregory,[4] have contributed to render women more artificial, weak characters, than they would otherwise have been; and, consequently, more useless members of society. I might have expressed this conviction in a lower key; but I am afraid it would have been the whine of affectation, and not the faithful expression of my feelings, of the clear result, which experience and reflection have led me to draw. When I come to that division of the subject, I shall advert to the passages that I more particularly disapprove of, in the works of the authors I have just alluded to; but it is first necessary to observe, that my objection extends to the whole purport of those books, which tend, in my opinion, to degrade one half of the human species, and render women pleasing at the expense of every solid virtue.

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[1] *To whom thus ... her praise* Milton, *Paradise Lost* 4.634–38; Wollstonecraft's italics.

[2] *Hast thou not ... All rational delight* Milton, *Paradise Lost* 8.381–91; Wollstonecraft's italics.

[3] *Rousseau's opinion respecting men* See Rousseau, *Émile*.

[4] *Rousseau to Dr. Gregory* Rousseau, *Émile*, Book 5; John Gregory (1724–73), *A Father's Legacy to his Daughters* (1774). Wollstonecraft included substantial excerpts from Gregory in *The Female Reader* (1789).

Though, to reason on Rousseau's ground, if man did attain a degree of perfection of mind when his body arrived at maturity, it might be proper, in order to make a man and his wife *one*, that she should rely entirely on his understanding; and the graceful ivy, clasping the oak that supported it, would form a whole in which strength and beauty would be equally conspicuous. But, alas! husbands, as well as their helpmates, are often only overgrown children; nay, thanks to early debauchery, scarcely men in their outward form—and if the blind lead the blind, one need not come from heaven to tell us the consequence.[1]

Many are the causes that, in the present corrupt state of society, contribute to enslave women by cramping their understandings and sharpening their senses. One, perhaps, that silently does more mischief than all the rest, is their disregard of order.

To do every thing in an orderly manner, is a most important precept, which women, who, generally speaking, receive only a disorderly kind of education, seldom attend to with that degree of exactness that men, who from their infancy are broken into method, observe. This negligent kind of guess-work, for what other epithet can be used to point out the random exertions of a sort of instinctive common sense, never brought to the test of reason? prevents their generalizing matters of fact—so they do to-day, what they did yesterday, merely because they did it yesterday.

This contempt of the understanding in early life has more baneful consequences than is commonly supposed; for the little knowledge which women of strong minds attain, is, from various circumstances, of a more desultory kind than the knowledge of men, and it is acquired more by sheer observations on real life, than from comparing what has been individually observed with the results of experience generalized by speculation. Led by their dependent situation and domestic employments more into society, what they learn is rather by snatches; and as learning is with them, in general, only a secondary thing, they do not pursue any one branch with that persevering ardor necessary to give vigor to the faculties, and clearness to the judgment. In the present state of society, a little learning[2] is required to support the character of a gentleman; and boys are obliged to submit to a few years of discipline. But in the education of women, the cultivation of the understanding is always subordinate to the acquirement of some corporeal accomplishment; even while enervated by confinement and false notions of modesty, the body is prevented from attaining that grace and beauty which relaxed half-formed limbs never exhibit. Besides, in youth their faculties are not brought forward by emulation; and having no serious scientific study, if they have natural sagacity it is turned too soon on life and manners. They dwell on effects, and modifications, without tracing them back to causes; and complicated rules to adjust behavior are a weak substitute for simple principles.

As a proof that education gives this appearance of weakness to females, we may instance the example of military men, who are, like them, sent into the world before their minds have been stored with knowledge or fortified by principles. The consequences are similar; soldiers acquire a little superficial knowledge, snatched from the muddy current of conversation, and, from continually mixing with society, they gain, what is termed a knowledge of the world; and this acquaintance with manners and customs has frequently been confounded with a knowledge of the human heart. But can the crude fruit of casual observation, never brought to the test of judgment, formed by comparing speculation and experience, deserve such a distinction? Soldiers, as well as women, practice the minor virtues with punctilious politeness. Where is then the sexual difference, when the education has been the same? All the difference that I can discern, arises from the superior advantage of liberty, which enables the former to see more of life.

[…]

I now principally allude to Rousseau, for his character of Sophia is, undoubtedly, a captivating one, though it appears to me grossly unnatural;[3] however it is not the superstructure, but the foundation of her character, the principles on which her education was built, that I mean to attack; nay, warmly as I admire the genius of that able writer, whose opinions I shall often have occasion to cite, indignation always takes place of admiration, and the rigid frown of insulted virtue effaces the smile of complacency, which his eloquent periods are wont to raise, when I read his voluptuous reveries. Is this the man, who, in his ardor for virtue, would banish all the soft arts of peace, and almost carry us back to Spartan discipline? Is this the man who delights to paint the useful struggles of passion, the triumphs of good dispositions, and the heroic flights which carry the glowing soul out of itself?—How are these mighty sentiments lowered when he describes the pretty foot and enticing airs of his little favorite! But, for the present, I wave the subject, and, instead of severely reprehending the transient effusions of overweening sensibility, I shall only observe, that whoever has cast a benevolent eye on society, must often have been gratified by the sight of humble mutual love, not dignified by sentiment, or strengthened by a union in intellectual pursuits. The domestic trifles of the day have afforded matters for cheerful converse, and innocent caresses have softened toils which did not require great exercise of mind or stretch of thought: yet, has not the sight of this moderate felicity excited more tenderness than respect? An emotion similar to what we feel when children are playing, or animals sporting,[1] whilst the contemplation of the noble struggles of suffering merit has raised admiration, and carried our thoughts to that world where sensation will give place to reason.

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[1] *if the blind … the consequence* Matthew 15.14. The speaker is Jesus, who has "come from heaven."

[2] *a little learning* See Alexander Pope, *An Essay on Criticism* (1711) 215.

[3] *character of Sophia … unnatural* Rousseau, *Émile*, Book 5.

Women are, therefore, to be considered either as moral beings, or so weak that they must be entirely subjected to the superior faculties of men.

Let us examine this question. Rousseau declares that a woman should never, for a moment, feel herself independent, that she should be governed by fear to exercise her *natural* cunning, and made a coquetish slave in order to render her a more alluring object of desire, a *sweeter* companion to man, whenever he chooses to relax himself. He carries the arguments, which he pretends to draw from the indications of nature, still further, and insinuates that truth and fortitude, the corner stones of all human virtue, should be cultivated with certain restrictions, because, with respect to the female character, obedience is the grand lesson which ought to be impressed with unrelenting rigor.

What nonsense! when will a great man arise with sufficient strength of mind to puff away the fumes which pride and sensuality have thus spread over the subject! If women are by nature inferior to men, their virtues must be the same in quality, if not in degree, or virtue is a relative idea; consequently, their conduct should be founded on the same principles, and have the same aim.[2]

Connected with man as daughters, wives, and mothers, their moral character may be estimated by their manner of fulfilling those simple duties; but the end, the grand end of their exertions should be to unfold their own faculties and acquire the dignity of conscious virtue. They may try to render their road pleasant; but ought never to forget, in common with man, that life yields not the felicity which can satisfy an immortal soul. I do not mean to insinuate, that either sex should be so lost in abstract reflections or distant views, as to forget the affections and duties that lie before them, and are, in truth, the means appointed to produce the fruit of life; on the contrary, I would warmly recommend them, even while I assert, that they afford most satisfaction when they are considered in their true, sober light.

Probably the prevailing opinion, that woman was created for man, may have taken its rise from Moses's poetical story;[3] yet, as very few, it is presumed, who have bestowed any serious thought on the subject, ever supposed that Eve was, literally speaking, one of Adam's ribs, the deduction must be allowed to fall to the ground; or, only be so far admitted as it proves that man, from the remotest antiquity, found it convenient to exert his strength to subjugate his companion, and his invention to show that she ought to have her neck bent under the yoke, because the whole creation was only created for his convenience or pleasure.

Let it not be concluded that I wish to invert the order of things; I have already granted, that, from the constitution of their bodies, men seem to be designed by Providence to attain a greater degree of virtue. I speak collectively of the whole sex; but I see not the shadow of a reason to conclude that their virtues should differ in respect to their nature. In fact, how can they, if virtue has only one eternal standard?

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[1] *animals sporting* [Wollstonecraft's note] Similar feelings has Milton's pleasing picture of paradisiacal happiness ever raised in my mind; yet, instead of envying the lovely pair, I have, with conscious dignity, or Satanic pride, turned to hell for sublimer objects. In the same style, when viewing some noble monument of human art, I have traced the emanation of the Deity in the order I admired, till, descending from that giddy height, I have caught myself contemplating the grandest of all human sights;—for fancy quickly placed, in some solitary recess, an outcast of fortune, rising superior to passion and discontent.

[2] *their conduct ... same aim* Rousseau argues in *Émile* that men's and women's virtues are essentially different.

[3] *Moses's poetical story* Genesis 2.18–25. Moses was believed to be the author of Genesis.

I must therefore, if I reason consequentially, as strenuously maintain that they have the same simple direction, as that there is a God.

It follows then that cunning should not be opposed to wisdom, little cares to great exertions, or insipid softness, varnished over with the name of gentleness, to that fortitude which grand views alone can inspire.

I shall be told that woman would then lose many of her peculiar graces, and the opinion of a well known poet might be quoted to refute my unqualified assertion. For Pope has said, in the name of the whole male sex,

> Yet ne'er so sure our passion to create,
> As when she touch'd the brink of all we hate.[1]

In what light this sally places men and women, I shall leave to the judicious to determine; meanwhile I shall content myself with observing, that I cannot discover why, unless they are mortal, females should always be degraded by being made subservient to love or lust.

To speak disrespectfully of love is, I know, high treason against sentiment and fine feelings; but I wish to speak the simple language of truth, and rather to address the head than the heart. To endeavor to reason love out of the world, would be to out-Quixote Cervantes,[2] and equally offend against common sense; but an endeavor to restrain this tumultuous passion, and to prove that it should not be allowed to dethrone superior powers, or to usurp the scepter which the understanding should ever coolly wield, appears less wild.

Youth is the season for love in both sexes; but in those days of thoughtless enjoyment provision should be made for the more important years of life, when reflection takes place of sensation. But Rousseau, and most of the male writers who have followed his steps, have warmly inculcated that the whole tendency of female education ought to be directed to one point: to render them pleasing.

Let me reason with the supporters of this opinion who have any knowledge of human nature, do they imagine that marriage can eradicate the habitude of life? The woman who has only been taught to please will soon find that her charms are oblique sunbeams, and that they cannot have much effect on her husband's heart when they are seen every day, when the summer is passed and gone. Will she then have sufficient native energy to look into herself for comfort, and cultivate her dormant faculties? or, is it not more rational to expect that she will try to please other men; and, in the emotions raised by the expectation of new conquests, endeavor to forget the mortification her love or pride has received? When the husband ceases to be a lover—and the time will inevitably come, her desire of pleasing will then grow languid, or become a spring of bitterness; and love, perhaps, the most evanescent of all passions, gives place to jealousy or vanity.

I now speak of women who are restrained by principle or prejudice; such women, though they would shrink from an intrigue with real abhorrence, yet, nevertheless, wish to be convinced by the homage of gallantry that they are cruelly neglected by their husbands; or, days and weeks are spent in dreaming of the happiness enjoyed by congenial souls till their health is undermined and their spirits broken by discontent. How then can the great art of pleasing be such a necessary study? it is only useful to a mistress; the chaste wife, and serious mother, should only consider her power to please as the polish of her virtues, and the affection of her husband as one of the comforts that render her task less difficult and her life happier.—But, whether she be loved or neglected, her first wish should be to make herself respectable, and not to rely for all her happiness on a being subject to like infirmities with herself.

[…]

Women ought to endeavor to purify their heart;[3] but can they do so when their uncultivated understandings make them entirely dependent on their senses for employment and amusement, when no noble pursuit sets them above the little vanities of the day, or enables them to curb the wild emotions that agitate a reed over which every passing breeze has power? To gain the affections of a virtuous man is affectation necessary? Nature has given woman a weaker frame than man; but, to ensure her husband's affections, must a wife, who by the exercise of her mind and body whilst she was discharging the duties of a daughter, wife, and mother, has allowed her constitution to retain its natural strength, and her nerves a healthy tone, is she, I say, to condescend to use art and feign a sickly delicacy in order to secure her husband's affection? Weakness may excite tenderness, and gratify the arrogant pride of man; but the lordly caresses of a protector will not gratify a noble mind that pants for, and deserves to be respected. Fondness is a poor substitute for friendship!

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[1] *Yet ne'er ... all we hate* Pope, "Of the Characters of Women," 51–52.

[2] *out-Quixote Cervantes* An allusion to the impossibly idealistic hero of Miguel de Cervantes Saavedra (1547–1615), *Don Quixote* (1604–14). Edmund Burke compared the Welsh philosopher Richard Price to Don Quixote (*Reflections*; *Writings* 8.58); in turn, radical writers and cartoonists applied the comparison to Burke, because of his lament for the age of chivalry (*Writings* 8.17).

[3] *Women ought ... purify their heart* Matthew 5.8.

In a seraglio,[1] I grant, that all these arts are necessary; the epicure[2] must have his palate tickled, or he will sink into apathy; but have women so little ambition as to be satisfied with such a condition? Can they supinely dream life away in the lap of pleasure, or the languor of weariness, rather than assert their claim to pursue reasonable pleasures and render themselves conspicuous by practicing the virtues which dignify mankind? Surely she has not an immortal soul who can loiter life away merely employed to adorn her person, that she may amuse the languid hours, and soften the cares of a fellow-creature who is willing to be enlivened by her smiles and tricks, when the serious business of life is over.

Besides, the woman who strengthens her body and exercises her mind will, by managing her family and practicing various virtues, become the friend, and not the humble dependent of her husband; and if she, by possessing such substantial qualities, merit his regard, she will not find it necessary to conceal her affection, nor to pretend to an unnatural coldness of constitution to excite her husband's passions. In fact, if we revert to history, we shall find that the women who have distinguished themselves have neither been the most beautiful nor the most gentle of their sex.

[...]

A mistaken education, a narrow, uncultivated mind, and many sexual prejudices, tend to make women more constant than men; but, for the present, I shall not touch on this branch of the subject. I will go still further, and advance, without dreaming of a paradox, that an unhappy marriage is often very advantageous to a family, and that the neglected wife is, in general, the best mother. And this would almost always be the consequence if the female mind were more enlarged: for, it seems to be the common dispensation of Providence, that what we gain in present enjoyment should be deducted from the treasure of life, experience; and that when we are gathering the flowers of the day and reveling in pleasure, the solid fruit of toil and wisdom should not be caught at the same time. The way lies before us, we must turn to the right or left; and he who will pass life away in bounding from one pleasure to another, must not complain if he acquire neither wisdom nor respectability of character.

Supposing, for a moment, that the soul is not immortal, and that man was only created for the present scene—I think we should have reason to complain that love, infantine fondness, ever grew insipid and palled upon the sense. Let us eat, drink, and love, for tomorrow we die,[3] would be, in fact, the language of reason, the morality of life; and who but a fool would part with a reality for a fleeting shadow? But, if awed by observing the improbable powers of the mind, we disdain to confine our wishes or thoughts to such a comparatively mean field of action; that only appears grand and important, as it is connected with a boundless prospect and sublime hopes, what necessity is there for falsehood in conduct, and why must the sacred majesty of truth be violated to detain a deceitful good that saps the very foundation of virtue? Why must the female mind be tainted by coquetish arts to gratify the sensualist, and prevent love from subsiding into friendship, or compassionate tenderness, when there are not qualities on which friendship can be built? Let the honest heart show itself, and *reason* teach passion to submit to necessity; or, let the dignified pursuit of virtue and knowledge raise the mind above those emotions which rather embitter than sweeten the cup of life, when they are not restrained within due bounds.

[...]

Gentleness of manners, forbearance and long-suffering, are such amiable Godlike qualities,[4] that in sublime poetic strains the Deity has been invested with them; and, perhaps, no representation of his goodness so strongly fastens on the human affections as those that represent him abundant in mercy and willing to pardon.[5] Gentleness, considered in this point of view, bears on its front all the characteristics of grandeur, combined with the winning graces of condescension; but what a different aspect it assumes when it is the submissive demeanor of dependence, the support of weakness that loves, because it wants protection; and is forbearing, because it must silently endure injuries; smiling under the lash at which it dare not snarl. Abject as this picture appears, it is the portrait of an accomplished woman, according to the received opinion of female excellence, separated by specious reasoners from human excellence. Or, they[1] kindly restore the rib, and make one moral being of a man and woman; not forgetting to give her all the "submissive charms."[2]

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[1] *seraglio* Part of the Sultan's palace where the harem is situated.

[2] *epicure* Person devoted to sensual pleasure, after the Greek philosopher Epicurus (341–270 BCE), who taught that the highest good is pleasure. The term is used pejoratively, in a sense that misrepresents the thought of Epicurus and his followers, who identified pleasure with "tranquil pleasures" such as peace of mind and freedom from fear.

[3] *Let us eat ... for tomorrow we die* Isaiah 22.13; 1 Corinthians 15.32.

[4] *Gentleness of manners ... Godlike qualities* Galatians 5.22; Ephesians 4.2.

[5] *those that represent ... willing to pardon* Isaiah 55.7.

How women are to exist in that state where there is to be neither marrying nor giving in marriage,[3] we are not told. For though moralists have agreed that the tenor of life seems to prove that *man* is prepared by various circumstances for a future state, they constantly concur in advising *woman* only to provide for the present. Gentleness, docility, and a spaniel-like affection are, on this ground, consistently recommended as the cardinal virtues of the sex; and, disregarding the arbitrary economy of nature, one writer has declared that it is masculine for a woman to be melancholy.[4] She was created to be the toy of man, his rattle, and it must jingle in his ears whenever, dismissing reason, he chooses to be amused.

To recommend gentleness, indeed, on a broad basis is strictly philosophical. A frail being should labor to be gentle. But when forbearance confounds right and wrong, it ceases to be a virtue; and, however convenient it may be found in a companion—that companion will ever be considered as an inferior, and only inspire a vapid tenderness, which easily degenerates into contempt. Still, if advice could really make a being gentle, whose natural disposition admitted not of such a fine polish, something towards the advancement of order would be attained; but if, as might quickly be demonstrated, only affectation be produced by this indiscriminate counsel, which throws a stumbling-block in the way of gradual improvement, and true melioration of temper, the sex is not much benefited by sacrificing solid virtues to the attainment of superficial graces, though for a few years they may procure the individuals regal sway.

As a philosopher, I read with indignation the plausible epithets which men use to soften their insults; and, as a moralist, I ask what is meant by such heterogeneous associations, as fair defects, amiable weaknesses,[5] &c.? If there be but one criterion of morals, but one archetype for man, women appear to be suspended by destiny, according to the vulgar tale of Mahomet's coffin;[6] they have neither the unerring instinct of brutes, nor are allowed to fix the eye of reason on a perfect model. They were made to be loved, and must not aim at respect, lest they should be hunted out of society as masculine.

But to view the subject in another point of view. Do passive indolent women make the best wives? Confining our discussion to the present moment of existence, let us see how such weak creatures perform their part? Do the women who, by the attainment of a few superficial accomplishments, have strengthened the prevailing prejudice, merely contribute to the happiness of their husbands? Do they display their charms merely to amuse them? And have women, who have early imbibed notions of passive obedience, sufficient character to manage a family or educate children? So far from it, that, after surveying the history of woman, I cannot help, agreeing with the severest satirist, considering the sex as the weakest as well as the most oppressed half of the species. What does history disclose but marks of inferiority, and how few women have emancipated themselves from the galling yoke of sovereign man?—So few, that the exceptions remind me of an ingenious conjecture respecting Newton: that he was probably a being of a superior order, accidentally caged in a human body.[7] Following the same train of thinking, I have been led to imagine that the few extraordinary women who have rushed in eccentrical directions out of the orbit prescribed to their sex, were *male* spirits, confined by mistake in female frames.

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[1] *they* Wollstonecraft refers to Rousseau, *Émile* and to Emanuel Swedenborg (1688–1772), Swedish philosopher, scientist, and Christian mystic, who wrote *On Marriages in Heaven; and On the Nature of Heavenly Conjugal Love* (1768; trans. 1789), which Wollstonecraft reviewed (*Works* 7: 94–95).

[2] *submissive charms* Milton, *Paradise Lost* 4.498.

[3] *there is to be neither marrying nor giving in marriage* Matthew 22.30; Mark 12.25; Luke 20.35.

[4] *one writer ... melancholy* The source is unidentified.

[5] *I read with indignation ... amiable weaknesses* Milton, *Paradise Lost* 10.891; Pope, "Of the Characters of Women" 44 (misquoted).

[6] *Mahomet's coffin* According to the legend, Mohammed's coffin was suspended in midair by magnets. See Milton, *Eikonoklastes* (1649); Samuel Butler (1613–80), *Hudibras* (1663–78) 2.3.442, 3.2.605; Matthew Prior (1664–1721), *Alma; or, The Progress of the Mind* (1718) 2.198–99.

[7] *conjecture respecting Newton ... caged in a human body* See James Thomson (1700–48), *A Poem Sacred to the Memory of Sir Isaac Newton* (1727); Pope, *An Essay on Man* (1733–34) 2.31–34; "Epitaph. Intended for Sir Isaac Newton, In Westminster-Abbey" (1730).

But if it be not philosophical to think of sex when the soul is mentioned, the inferiority must depend on the organs; or the heavenly fire, which is to ferment the clay, is not given in equal portions.

But avoiding, as I have hitherto done, any direct comparison of the two sexes collectively, or frankly acknowledging the inferiority of woman, according to the present appearance of things, I shall only insist that men have increased that inferiority till women are almost sunk below the standard of rational creatures. Let their faculties have room to unfold, and their virtues to gain strength, and then determine where the whole sex must stand in the intellectual scale. Yet let it be remembered, that for a small number of distinguished women I do not ask a place.

It is difficult for us purblind[1] mortals to say to what height human discoveries and improvements may arrive when the gloom of despotism subsides, which makes us stumble at every step; but, when morality shall be settled on a more solid basis, then, without being gifted with a prophetic spirit, I will venture to predict that woman will be either the friend or slave of man. We shall not, as at present, doubt whether she is a moral agent, or the link which unites man with brutes. But, should it then appear, that like the brutes they were principally created for the use of man, he will let them patiently bite the bridle, and not mock them with empty praise; or, should their rationality be proved, he will not impede their improvement merely to gratify his sensual appetites. He will not, with all the graces of rhetoric, advise them to submit implicitly their understanding to the guidance of man. He will not, when he treats of the education of women, assert that they ought never to have the free use of reason, nor would he recommend cunning and dissimulation to beings who are acquiring, in like manner as himself, the virtues of humanity.

Surely there can be but one rule of right, if morality has an eternal foundation, and whoever sacrifices virtue, strictly so called, to present convenience, or whose *duty* it is to act in such a manner, lives only for the passing day, and cannot be an accountable creature.

The poet then should have dropped his sneer when he says,

> If weak women go astray,
> The stars are more in fault than they.[2]

For that they are bound by the adamantine chain of destiny is most certain, if it be proved that they are never to exercise their own reason, never to be independent, never to rise above opinion, or to feel the dignity of a rational will that only bows to God, and often forgets that the universe contains any being but itself and the model of perfection to which its ardent gaze is turned, to adore attributes that, softened into virtues, may be imitated in kind, though the degree overwhelms the enraptured mind.

If, I say, for I would not impress by declamation when Reason offers her sober light, if they be really capable of acting like rational creatures, let them not be treated like slaves; or, like the brutes who are dependent on the reason of man, when they associate with him; but cultivate their minds, give them the salutary, sublime curb of principle, and let them attain conscious dignity by feeling themselves only dependent on God. Teach them, in common with man, to submit to necessity, instead of giving, to render them more pleasing, a sex to morals.

Further, should experience prove that they cannot attain the same degree of strength of mind, perseverance, and fortitude, let their virtues be the same in kind, though they may vainly struggle for the same degree; and the superiority of man will be equally clear, if not clearer; and truth, as it is a simple principle, which admits of no modification, would be common to both. Nay, the order of society as it is at present regulated would not be inverted, for woman would then only have the rank that reason assigned her, and arts could not be practiced to bring the balance even, much less to turn it.

These may be termed Utopian dreams.—Thanks to that Being who impressed them on my soul, and gave me sufficient strength of mind to dare to exert my own reason, till, becoming dependent only on him for the support of my virtue, I view, with indignation, the mistaken notions that enslave my sex.

I love man as my fellow; but his scepter, real, or usurped, extends not to me, unless the reason of an individual demands my homage; and even then the submission is to reason, and not to man. In fact, the conduct of an accountable being must be regulated by the operations of its own reason; or on what foundation rests the throne of God?

It appears to me necessary to dwell on these obvious truths, because females have been insulated, as it were; and, while they have been stripped of the virtues that should clothe humanity, they have been decked with artificial graces that enable them to exercise a short-lived tyranny.

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[1] *purblind* Totally blind.

[2] *If weak women ... fault than they* Prior, "Hans Carvel" (1700), 11–12.

Love, in their bosoms, taking place of every nobler passion, their sole ambition is to be fair, to raise emotion instead of inspiring respect; and this ignoble desire, like the servility in absolute monarchies, destroys all strength of character. Liberty is the mother of virtue, and if women be, by their very constitution, slaves, and not allowed to breathe the sharp invigorating air of freedom, they must ever languish like exotics, and be reckoned beautiful flaws in nature.

As to the argument respecting the subjection in which the sex has ever been held, it retorts on man. The many have always been enthralled by the few; and monsters, who scarcely have shown any discernment of human excellence, have tyrannized over thousands of their fellow-creatures. Why have men of superior endowments submitted to such degradation? For, is it not universally acknowledged that kings, viewed collectively, have ever been inferior, in abilities and virtue, to the same number of men taken from the common mass of mankind—yet, have they not, and are they not still treated with a degree of reverence that is an insult to reason? China is not the only country where a living man has been made a God. *Men* have submitted to superior strength to enjoy with impunity the pleasure of the moment—*women* have only done the same, and therefore till it is proved that the courtier, who servilely resigns the birthright of a man, is not a moral agent, it cannot be demonstrated that woman is essentially inferior to man because she has always been subjugated.

Brutal force has hitherto governed the world, and that the science of politics is in its infancy, is evident from philosophers scrupling to give the knowledge most useful to man that determinate distinction.

I shall not pursue this argument any further than to establish an obvious inference, that as sound politics diffuse liberty, mankind, including woman, will become more wise and virtuous.

from Chapter 3: The Same Subject Continued

Bodily strength from being the distinction of heroes is now sunk into such unmerited contempt that men, as well as women, seem to think it unnecessary: the latter, as it takes from their feminine graces, and from that lovely weakness the source of their undue power; and the former, because it appears inimical to the character of a gentleman.

That they have both by departing from one extreme run into another, may easily be proved; but first it may be proper to observe, that a vulgar error has obtained a degree of credit, which has given force to a false conclusion, in which an effect has been mistaken for a cause.

People of genius have, very frequently, impaired their constitutions by study or careless inattention to their health, and the violence of their passions bearing a proportion to the vigor of their intellects, the sword's destroying the scabbard has become almost proverbial,[1] and superficial observers have inferred from thence, that men of genius have commonly weak, or, to use a more fashionable phrase, delicate constitutions. Yet the contrary, I believe, will appear to be the fact; for, on diligent inquiry, I find that strength of mind has, in most cases, been accompanied by superior strength of body—natural soundness of constitution—not that robust tone of nerves and vigor of muscles, which arise from bodily labor, when the mind is quiescent, or only directs the hands.

Dr. Priestley has remarked, in the preface to his biographical chart,[2] that the majority of great men have lived beyond forty-five. And, considering the thoughtless manner in which they have lavished their strength, when investigating a favorite science they have wasted the lamp of life, forgetful of the midnight hour; or, when, lost in poetic dreams, fancy has peopled the scene, and the soul has been disturbed, till it shook the constitution, by the passions that meditation had raised; whose objects, the baseless fabric of a vision,[3] faded before the exhausted eye, they must have had iron frames. Shakespeare never grasped the airy dagger with a nerveless hand,[4] nor did Milton tremble when he led Satan far from the confines of his dreary prison.[5]—These were not the ravings of imbecility, the sickly effusions of distempered brains; but the exuberance of fancy, that "in a fine phrenzy" wandering,[6] was not continually reminded of its material shackles.

I am aware that this argument would carry me further than it may be supposed I wish to go; but I follow truth, and, still adhering to my first position, I will allow that bodily strength seems to give man a natural superiority over woman; and this is the only solid basis on which the superiority of the sex can be built. But I still insist, that not only the virtue, but the *knowledge* of the two sexes should be the same in nature, if not in degree, and that women, considered not only as moral, but rational creatures, ought to endeavor to acquire human virtues (or perfections) by the *same* means as men, instead of being educated like a fanciful kind of *half* being—one of Rousseau's wild chimeras.[1]

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[1] *the sword's destroying ... almost proverbial* Rousseau, *Confessions*, Book 5.

[2] *Dr. Priestly ... biographical chart* Joseph Priestley (1733–1804) was a British natural philosopher who co-discovered oxygen (with Antoine Lavoisier), as well as a theologian, political theorist, and educator. Wollstonecraft refers to his *A Description of a Chart of Biography* (1765).

[3] *baseless fabric of a vision* Shakespeare, *The Tempest* 4.1.151.

[4] *airy dagger with a nerveless hand* Shakespeare, *Macbeth* 2.1.33–49.

[5] *led Satan ... dreary prison* Milton, *Paradise Lost* 2.629–1055.

[6] *"in a fine phrenzy" wandering* Shakespeare, *A Midsummer Night's Dream* 5.1.12.

But, if strength of body be, with some show of reason, the boast of men, why are women so infatuated as to be proud of a defect? Rousseau has furnished them with a plausible excuse, which could only have occurred to a man, whose imagination had been allowed to run wild, and refine on the impressions made by exquisite senses;—that they might, forsooth, have a pretext for yielding to a natural appetite without violating a romantic species of modesty, which gratifies the pride and libertinism of man.

Women, deluded by these sentiments, sometimes boast of their weakness, cunningly obtaining power by playing on the *weakness* of men; and they may well glory in their illicit sway, for, like Turkish bashaws,[2] they have more real power than their masters: but virtue is sacrificed to temporary gratifications, and the respectability of life to the triumph of an hour.

Women, as well as despots, have now, perhaps, more power than they would have if the world, divided and subdivided into kingdoms and families, were governed by laws deduced from the exercise of reason; but in obtaining it, to carry on the comparison, their character is degraded, and licentiousness spread through the whole aggregate of society. The many become pedestal to the few. I, therefore, will venture to assert, that till women are more rationally educated, the progress of human virtue and improvement in knowledge must receive continual checks. And if it be granted that woman was not created merely to gratify the appetite of man, or to be the upper servant, who provides his meals and takes care of his linen, it must follow, that the first care of those mothers or fathers, who really attend to the education of females, should be, if not to strengthen the body, at least, not to destroy the constitution by mistaken notions of beauty and female excellence; nor should girls ever be allowed to imbibe the pernicious notion that a defect can, by any chemical process of reasoning, become an excellence.

[...]

But should it be proved that woman is naturally weaker than man, whence does it follow that it is natural for her to labor to become still weaker than nature intended her to be? Arguments of this cast are an insult to common sense, and savor of passion. The *divine right* of husbands, like the divine right of kings, may, it is to be hoped, in this enlightened age, be contested without danger, and, though conviction may not silence many boisterous disputants, yet, when any prevailing prejudice is attacked, the wise will consider, and leave the narrow-minded to rail with thoughtless vehemence at innovation.

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[1] *Rousseau's wild chimeras* [Wollstonecraft's note] "Researches into abstract and speculative truths, the principles and axioms of sciences, in short, every thing which tends to generalize our ideas, is not the proper province of women; their studies should be relative to points of practice; it belongs to them to apply those principles which men have discovered; and it is their part to make observations, which direct men to the establishment of general principles. All the ideas of women, which have not the immediate tendency to points of duty, should be directed to the study of men, and to the attainment of those agreeable accomplishments which have taste for their object; for as to works of genius, they are beyond their capacity; neither have they sufficient precision or power of attention to succeed in sciences which require accuracy: and as to physical knowledge, it belongs to those only who are most active, most inquisitive; who comprehend the greatest variety of objects: in short, it belongs to those who have the strongest powers, and who exercise them most, to judge of the relations between sensible beings and the laws of nature. A woman who is naturally weak, and does not carry her ideas to any great extent, knows how to judge and make a proper estimate of those movements which she sets to work, in order to aid her weakness; and these movements are the passions of men. The mechanism she employs is much more powerful than ours; for all her levers move the human heart. She must have the skill to incline us to do every thing which her sex will not enable her to do herself, and which is necessary or agreeable to her; therefore she ought to study the mind of man thoroughly, not the mind of man in general, abstractedly, but the dispositions of those men to whom she is subject, either by the laws of her country or by the force of opinion. She should learn to penetrate into their real sentiments from their conversation, their actions, their looks, and gestures. She should also have the art, by her own conversation, actions, looks, and gestures, to communicate those sentiments which are agreeable to them, without seeming to intend it. Men will argue more philosophically about the human heart; but women will read the heart of man better than they. It belongs to women, if I may be allowed the expression, to form an experimental morality, and to reduce the study of man to a system. Women have most wit, men have most genius; women observe, men reason: from the concurrence of both we derive the clearest light and the most perfect knowledge, which the human mind is, of itself, capable of attaining. In one word, from hence we acquire the most intimate acquaintance, both with ourselves and others, of which our nature is capable; and it is thus that art has a constant tendency to perfect those endowments which nature has bestowed.—The world is the book of women." Rousseau's *Emilius*. I hope my readers still remember the comparison, which I have brought forward, between women and officers. [Rousseau, *Émile* 386–87; Wollstonecraft quotes from *Emilius and Sophia; or, A New System of Education*, trans. William Kenrick (1763).]

[2] *bashaws* High-ranking officers of the Ottoman Empire, also referred to as "pashas."

The mother, who wishes to give true dignity of character to her daughter, must, regardless of the sneers of ignorance, proceed on a plan diametrically opposite to that which Rousseau has recommended with all the deluding charms of eloquence and philosophical sophistry: for his eloquence renders absurdities plausible, and his dogmatic conclusions puzzle, without convincing, those who have not ability to refute them.

Throughout the whole animal kingdom every young creature requires almost continual exercise, and the infancy of children, comformable to this intimation, should be passed in harmless gambols, that exercise the feet and hands, without requiring very minute direction from the head, or the constant attention of a nurse. In fact, the care necessary for self-preservation is the first natural exercise of the understanding, as little inventions to amuse the present moment unfold the imagination. But these wise designs of nature are counteracted by mistaken fondness or blind zeal. The child is not left a moment to its own direction, particularly a girl, and thus rendered dependent—dependence is called natural.

To preserve personal beauty, woman's glory! the limbs and faculties are cramped with worse than Chinese bands,[1] and the sedentary life which they are condemned to live, whilst boys frolic in the open air, weakens the muscles and relaxes the nerves.—As for Rousseau's remarks, which have since been echoed by several writers, that they have naturally, that is from their birth, independent of education, a fondness for dolls, dressing, and talking—they are so puerile as not to merit a serious refutation. That a girl, condemned to sit for hours together listening to the idle chat of weak nurses, or to attend at her mother's toilet, will endeavor to join the conversation, is, indeed, very natural; and that she will imitate her mother or aunts, and amuse herself by adorning her lifeless doll, as they do in dressing her, poor innocent babe! is undoubtedly a most natural consequence. For men of the greatest abilities have seldom had sufficient strength to rise above the surrounding atmosphere; and, if the page of genius have always been blurred by the prejudices of the age, some allowance should be made for a sex, who, like kings, always see things through a false medium.

Pursuing these reflections, the fondness for dress, conspicuous in women, may be easily accounted for, without supposing it the result of a desire to please the sex on which they are dependent. The absurdity, in short, of supposing that a girl is naturally a coquette, and that a desire connected with the impulse of nature to propagate the species, should appear even before an improper education has, by heating the imagination, called it forth prematurely, is so unphilosophical, that such a sagacious observer as Rousseau would not have adopted it, if he had not been accustomed to make reason give way to his desire of singularity, and truth to a favorite paradox.

Yet thus to give a sex to mind was not very consistent with the principles of a man who argued so warmly, and so well, for the immortality of the soul.—But what a weak barrier is truth when it stands in the way of a hypothesis! Rousseau respected—almost adored virtue—and yet he allowed himself to love with sensual fondness. His imagination constantly prepared inflammable fuel for his inflammable senses; but, in order to reconcile his respect for self-denial, fortitude, and those heroic virtues, which a mind like his could not coolly admire, he labors to invert the law of nature, and broaches a doctrine pregnant with mischief and derogatory to the character of supreme wisdom.

[…]

I have, probably, had an opportunity of observing more girls in their infancy than J.J. Rousseau—I can recollect my own feelings, and I have looked steadily around me; yet, so far from coinciding with him in opinion respecting the first dawn of the female character, I will venture to affirm, that a girl, whose spirits have not been damped by inactivity, or innocence tainted by false shame, will always be a romp, and the doll will never excite attention unless confinement allows her no alternative.[2] Girls and boys, in short, would play harmlessly together, if the distinction of sex was not inculcated long before nature makes any difference.—I will go further, and affirm, as an indisputable fact, that most of the women, in the circle of my observation, who have acted like rational creatures, or shown any vigor of intellect, have accidentally been allowed to run wild—as some of the elegant formers of the fair sex would insinuate.

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[1] *Chinese bands* An allusion to the practice of foot-binding. See John Locke (1632–1704), *Some Thoughts Concerning Education* (1693).

[2] *whose spirits … no alternative* In fact, Rousseau approves of exercise (within limits) for girls.

The baneful consequences which flow from inattention to health during infancy, and youth, extend further than is supposed—dependence of body naturally produces dependence of mind; and how can she be a good wife or mother, the greater part of whose time is employed to guard against or endure sickness? Nor can it be expected that a woman will resolutely endeavor to strengthen her constitution and abstain from enervating indulgencies, if artificial notions of beauty, and false descriptions of sensibility, have been early entangled with her motives of action. Most men are sometimes obliged to bear with bodily inconveniencies, and to endure, occasionally, the inclemency of the elements; but genteel women are, literally speaking, slaves to their bodies, and glory in their subjection.

[...]

Women are everywhere in this deplorable state; for, in order to preserve their innocence, as ignorance is courteously termed, truth is hidden from them, and they are made to assume an artificial character before their faculties have acquired any strength. Taught from their infancy that beauty is woman's scepter, the mind shapes itself to the body, and, roaming round its gilt cage, only seeks to adorn its prison. Men have various employments and pursuits which engage their attention, and give a character to the opening mind; but women, confined to one, and having their thoughts constantly directed to the most insignificant part of themselves, seldom extend their views beyond the triumph of the hour. But were their understanding once emancipated from the slavery to which the pride and sensuality of man and their short-sighted desire, like that of dominion in tyrants, of present sway, has subjected them, we should probably read of their weaknesses with surprise. I must be allowed to pursue the argument a little farther.

Perhaps, if the existence of an evil being were allowed, who, in the allegorical language of scripture, went about seeking whom he should devour,[1] he could not more effectually degrade the human character than by giving a man absolute power.

[...]

It is time to effect a revolution in female manners—time to restore to them their lost dignity—and make them, as a part of the human species, labor by reforming themselves to reform the world. It is time to separate unchangeable morals from local manners.—If men be demi-gods—why let us serve them! And if the dignity of the female soul be as disputable as that of animals—if their reason does not afford sufficient light to direct their conduct whilst unerring instinct is denied—they are surely of all creatures the most miserable! and, bent beneath the iron hand of destiny, must submit to be a *fair defect* in creation. But to justify the ways of Providence respecting them,[2] by pointing out some irrefragable reason for thus making such a large portion of mankind accountable and not accountable, would puzzle the subtilest casuist.

The only solid foundation for morality appears to be the character of the supreme Being; the harmony of which arises from a balance of attributes;—and, to speak with reverence, one attribute seems to imply the *necessity* of another. He must be just, because he is wise, he must be good, because he is omnipotent. For to exalt one attribute at the expence of another equally noble and necessary, bears the stamp of the warped reason of man—the homage of passion. Man, accustomed to bow down to power in his savage state, can seldom divest himself of this barbarous prejudice, even when civilization determines how much superior mental is to bodily strength; and his reason is clouded by these crude opinions, even when he thinks of the Deity.—His omnipotence is made to swallow up, or preside over his other attributes, and those mortals are supposed to limit his power irreverently, who think that it must be regulated by his wisdom.

[...]

Let fancy now present a woman with a tolerable understanding, for I do not wish to leave the line of mediocrity, whose constitution, strengthened by exercise, has allowed her body to acquire its full vigor; her mind, at the same time, gradually expanding itself to comprehend the moral duties of life, and in what human virtue and dignity consist.

Formed thus by the discharge of the relative duties of her station, she marries from affection, without losing sight of prudence, and looking beyond matrimonial felicity, she secures her husband's respect before it is necessary to exert mean arts to please him and feed a dying flame, which nature doomed to expire when the object became familiar, when friendship and forbearance take place of a more ardent affection.—This is the natural death of love, and domestic peace is not destroyed by struggles to prevent its extinction. I also suppose the husband to be virtuous; or she is still more in want of independent principles.

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[1] *went about seeking ... devour* 1 Peter 5.8.

[2] *justify the ways of Providence respecting them* Milton, *Paradise Lost* 10.891–92, 1.25–26.

Fate, however, breaks this tie.—She is left a widow, perhaps, without a sufficient provision; but she is not desolate! The pang of nature is felt; but after time has softened sorrow into melancholy resignation, her heart turns to her children with redoubled fondness, and anxious to provide for them, affection gives a sacred heroic cast to her maternal duties. She thinks that not only the eye sees her virtuous efforts from whom all her comfort now must flow, and whose approbation is life; but her imagination, a little abstracted and exalted by grief, dwells on the fond hope that the eyes which her trembling hand closed, may still see how she subdues every wayward passion to fulfill the double duty of being the father as well as the mother of her children. Raised to heroism by misfortunes, she represses the first faint dawning of a natural inclination, before it ripens into love, and in the bloom of life forgets her sex—forgets the pleasure of an awakening passion, which might again have been inspired and returned. She no longer thinks of pleasing, and conscious dignity prevents her from priding herself on account of the praise which her conduct demands. Her children have her love, and her brightest hopes are beyond the grave, where her imagination often strays.

I think I see her surrounded by her children, reaping the reward of her care. The intelligent eye meets hers, whilst health and innocence smile on their chubby cheeks, and as they grow up the cares of life are lessened by their grateful attention. She lives to see the virtues which she endeavored to plant on principles, fixed into habits, to see her children attain a strength of character sufficient to enable them to endure adversity without forgetting their mother's example.

The task of life thus fulfilled, she calmly waits for the sleep of death, and rising from the grave, may say—Behold, thou gavest me a talent—and here are five talents.[1]

I wish to sum up what I have said in a few words, for I here throw down my gauntlet, and deny the existence of sexual virtues, not excepting modesty. For man and woman, truth, if I understand the meaning of the word, must be the same; yet the fanciful female character, so prettily drawn by poets and novelists, demanding the sacrifice of truth and sincerity, virtue becomes a relative idea, having no other foundation than utility, and of that utility men pretend arbitrarily to judge, shaping it to their own convenience.

Women, I allow, may have different duties to fulfill; but they are *human* duties, and the principles that should regulate the discharge of them, I sturdily maintain, must be the same.

To become respectable, the exercise of their understanding is necessary, there is no other foundation for independence of character; I mean explicitly to say that they must only bow to the authority of reason, instead of being the *modest* slaves of opinion.

In the superior ranks of life how seldom do we meet with a man of superior abilities, or even common acquirements? The reason appears to me clear, the state they are born in was an unnatural one. The human character has ever been formed by the employments the individual, or class, pursues; and if the faculties are not sharpened by necessity, they must remain obtuse. The argument may fairly be extended to women; for, seldom occupied by serious business, the pursuit of pleasure gives that insignificancy to their character which renders the society of the *great* so insipid. The same want of firmness, produced by a similar cause, forces them both to fly from themselves to noisy pleasures, and artificial passions, till vanity takes place of every social affection, and the characteristics of humanity can scarcely be discerned. Such are the blessings of civil governments, as they are at present organized, that wealth and female softness equally tend to debase mankind, and are produced by the same cause; but allowing women to be rational creatures, they should be incited to acquire virtues which they may call their own, for how can a rational being be ennobled by any thing that is not obtained by its *own* exertions?

from Chapter 4: Observations on the State of Degradation to Which Woman Is Reduced by Various Causes

That woman is naturally weak, or degraded by a concurrence of circumstances, is, I think, clear. But this position I shall simply contrast with a conclusion, which I have frequently heard fall from sensible men in favor of an aristocracy: that the mass of mankind cannot be any thing, or the obsequious slaves, who patiently allow themselves to be driven forward, would feel their own consequence, and spurn their chains. Men, they further observe, submit every where to oppression, when they have only to lift up their heads to throw off the yoke; yet, instead of asserting their birthright, they quietly lick the dust, and say, let us eat and drink, for tomorrow we die.[1] Women, I argue from analogy, are degraded by the same propensity to enjoy the present moment; and, at last, despise the freedom which they have not sufficient virtue to struggle to attain. But I must be more explicit.

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[1] *Behold, thou gavest me a talent—and here are five talents* Matthew 25.14–30; Luke 19.12–26.

With respect to the culture of the heart, it is unanimously allowed that sex is out of the question; but the line of subordination in the mental powers is never to be passed over.[2] Only "absolute in loveliness,"[3] the portion of rationality granted to woman, is, indeed, very scanty; for, denying her genius and judgment, it is scarcely possible to divine what remains to characterize intellect.

The stamen[4] of immortality, if I may be allowed the phrase, is the perfectibility of human reason; for, were man created perfect, or did a flood of knowledge break in upon him, when he arrived at maturity, that precluded error, I should doubt whether his existence would be continued after the dissolution of the body. But, in the present state of things, every difficulty in morals that escapes from human discussion, and equally baffles the investigation of profound thinking, and the lightning glance of genius, is an argument on which I build my belief of the immortality of the soul. Reason is, consequentially, the simple power of improvement; or, more properly speaking, of discerning truth. Every individual is in this respect a world in itself. More or less may be conspicuous in one being than another; but the nature of reason must be the same in all, if it be an emanation of divinity, the tie that connects the creature with the Creator; for, can that soul be stamped with the heavenly image, that is not perfected by the exercise of its own reason?[5] Yet outwardly ornamented with elaborate care, and so adorned to delight man, "that with honor he may love,"[6] the soul of woman is not allowed to have this distinction, and man, ever placed between her and reason, she is always represented as only created to see through a gross medium, and to take things on trust. But dismissing these fanciful theories, and considering woman as a whole, let it be what it will, instead of a part of man, the inquiry is whether she have reason or not. If she have, which, for a moment, I will take for granted, she was not created merely to be the solace of man, and the sexual should not destroy the human character.

Into this error men have, probably, been led by viewing education in a false light; not considering it as the first step to form a being advancing gradually towards perfection;[7] but only as a preparation for life. On this sensual error, for I must call it so, has the false system of female manners been reared, which robs the whole sex of its dignity, and classes the brown and fair with the smiling flowers that only adorn the land. This has ever been the language of men, and the fear of departing from a supposed sexual character, has made even women of superior sense adopt the same sentiments. Thus understanding, strictly speaking, has been denied to woman; and instinct, sublimated into wit and cunning, for the purposes of life, has been substituted in its stead.

The power of generalizing ideas, of drawing comprehensive conclusions from individual observations, is the only acquirement, for an immortal being, that really deserves the name of knowledge. Merely to observe, without endeavoring to account for any thing, may (in a very incomplete manner) serve as the common sense of life; but where is the store laid up that is to clothe the soul when it leaves the body?

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[1] *let us eat and drink, for tomorrow we die* Isaiah 22.13; 1 Corinthians 15.32.

[2] *but the line of subordination ... passed over* [Wollstonecraft's note] Into what inconsistencies do men fall when they argue without the compass of principles. Women, weak women, are compared with angels; yet, a superior order of beings should be supposed to possess more intellect than man; or, in what does their superiority consist? In the same strain, to drop the sneer, they are allowed to possess more goodness of heart, piety, and benevolence.—I doubt the fact, though it be courteously brought forward, unless ignorance be allowed to be the mother of devotion; for I am firmly persuaded that, on an average, the proportion between virtue and knowledge, is more upon a par than is commonly granted.

[3] *absolute in loveliness* Milton, *Paradise Lost* 8.547.

[4] *stamen* Part of the flower bearing pollen for reproduction.

[5] *for, can that soul ... its own reason* [Wollstonecraft's note] "The brutes," says Lord Monboddo, "remain in the state in which nature has placed them, except in so far as their natural instinct is improved by the culture *we* bestow upon them." [James Burnett, Lord Monboddo (1714–99), *Of the Origin and Progress of Language* (1773–92); Wollstonecraft's italics.]

[6] *that with honor he may love* Milton, *Paradise Lost* 8.577.

[7] *perfection* [Wollstonecraft's note] This word is not strictly just, but I cannot find a better.

This power has not only been denied to women; but writers have insisted that it is inconsistent, with a few exceptions, with their sexual character. Let men prove this, and I shall grant that woman only exists for man. I must, however, previously remark, that the power of generalizing ideas, to any great extent, is not very common amongst men or women. But this exercise is the true cultivation of the understanding; and every thing conspires to render the cultivation of the understanding more difficult in the female than the male world.

[…]

Ignorance is a frail base for virtue! Yet, that it is the condition for which woman was organized, has been insisted upon by the writers who have most vehemently argued in favor of the superiority of man; a superiority not in degree, but essence; though, to soften the argument, they have labored to prove, with chivalrous generosity, that the sexes ought not to be compared; man was made to reason, woman to feel: and that together, flesh and spirit, they make the most perfect whole, by blending happily reason and sensibility into one character.

[…]

I come round to my old argument; if woman be allowed to have an immortal soul, she must have, as the employment of life, an understanding to improve. And when, to render the present state more complete, though every thing proves it to be but a fraction of a mighty sum, she is incited by present gratification to forget her grand destination, nature is counteracted, or she was born only to procreate and rot. Or, granting brutes, of every description, a soul, though not a reasonable one, the exercise of instinct and sensibility may be the step, which they are to take, in this life, towards the attainment of reason in the next; so that through all eternity they will lag behind man, who, why we cannot tell, had the power given him of attaining reason in his first mode of existence.

[…]

In tracing the causes that, in my opinion, have degraded woman, I have confined my observations to such as universally act upon the morals and manners of the whole sex, and to me it appears clear that they all spring from want of understanding. Whether this arise from a physical or accidental weakness of faculties, time alone can determine; for I shall not lay any great stress on the example of a few women[1] who, from having received a masculine education, have acquired courage and resolution; I only contend that the men who have been placed in similar situations, have acquired a similar character—I speak of bodies of men, and that men of genius and talents have started out of a class, in which women have never yet been placed.

from Chapter 5: Animadversions[2] on Some of the Writers Who Have Rendered Women Objects of Pity, Bordering on Contempt

The opinions speciously supported, in some modern publications on the female character and education, which have given the tone to most of the observations made, in a more cursory manner, on the sex, remain now to be examined.

Section 1

I shall begin with Rousseau, and give a sketch of his character of woman, in his own words, interspersing comments and reflections. My comments, it is true, will all spring from a few simple principles, and might have been deduced from what I have already said; but the artificial structure has been raised with so much ingenuity, that it seems necessary to attack it in a more circumstantial manner, and make the application myself.

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[1] *a few women* [Wollstonecraft's note] Sappho, Eloisa, Mrs. Macaulay, the Empress of Russia, Madame d'Eon, etc. These, and many more, may be reckoned exceptions; and, are not all heroes, as well as heroines, exceptions to general rules? I wish to see women neither heroines nor brutes; but reasonable creatures. [Sappho (c. 600 BCE) was a distinguished poet. Héloïse (c. 1101–64), secretly married to the philosopher Peter Abelard (1079–1142), was herself a scholar; their love letters inspired Pope's "Eloisa to Abelard" (1717) and Rousseau's *Julie; ou, La Nouvelle Héloïse.* Catharine Macaulay Graham (1731–91) was the author of an eight-volume *History of England* (1763–83) and other works including *Observations on the Reflections of the Right Honourable Edmund Burke on the Revolution in France* (1790) and *Letters on Education* (1790). Catherine II of Russia (1729–96) displayed her "courage and resolution" by deposing and murdering her husband; but she also introduced vaccination for smallpox and promoted religious toleration and the education of women. Charles de Beaumont, Chevalier d'Eon (1728–1810), a distinguished French diplomat, dressed as a woman for much of his life, and (in consequence of litigation over wagers about his sex) had been legally declared one in 1777. Rousseau repeatedly accuses feminists of basing their arguments on exceptions.]

[2] *Animadversions* Strong criticisms.

Sophia, says Rousseau, should be as perfect a woman as Emilius is a man, and to render her so, it is necessary to examine the character which nature has given to the sex.

He then proceeds to prove that woman ought to be weak and passive, because she has less bodily strength than man; and hence infers, that she was formed to please and to be subject to him; and that it is her duty to render herself *agreeable* to her master—this being the grand end of her existence. Still, however, to give a little mock dignity to lust, he insists that man should not exert his strength, but depend on the will of the woman, when he seeks for pleasure with her.

"Hence we deduce a third consequence from the different constitutions of the sexes; which is, that the strongest should be master in appearance, and be dependent in fact on the weakest; and that not from any frivolous practice of gallantry or vanity of protectorship, but from an invariable law of nature, which, furnishing woman with a greater facility to excite desires than she has given man to satisfy them, makes the latter dependent on the good pleasure of the former, and compels him to endeavor to please in his turn, *in order to obtain her consent that he should be strongest.*[1] On these occasions, the most delightful circumstance a man finds in his victory is, to doubt whether it was the woman's weakness that yielded to his superior strength, or whether her inclinations spoke in his favor: the females are also generally artful enough to leave this matter in doubt. The understanding of women answers in this respect perfectly to their constitution: so far from being ashamed of their weakness, they glory in it; their tender muscles make no resistance; they affect to be incapable of lifting the smallest burdens, and would blush to be thought robust and strong. To what purpose is all this? Not merely for the sake of appearing delicate, but through an artful precaution: it is thus they provide an excuse beforehand, and a right to be feeble when they think it expedient."[2]

I have quoted this passage, lest my readers should suspect that I warped the author's reasoning to support my own arguments. I have already asserted that in educating women these fundamental principles lead to a system of cunning and lasciviousness.

Supposing woman to have been formed only to please, and be subject to man, the conclusion is just, she ought to sacrifice every other consideration to render herself agreeable to him: and let this brutal desire of self-preservation be the grand spring of all her actions, when it is proved to be the iron bed of fate, to fit which her character should be stretched or contracted, regardless of all moral or physical distinctions.[3] But, if, as I think, may be demonstrated, the purposes, of even this life, viewing the whole, be subverted by practical rules built upon this ignoble base, I may be allowed to doubt whether woman were created for man: and, though the cry of irreligion, or even atheism, be raised against me, I will simply declare, that were an angel from heaven to tell me that Moses's beautiful, poetical cosmogony, and the account of the fall of man, were literally true, I could not believe what my reason told me was derogatory to the character of the Supreme Being: and, having no fear of the devil before mine eyes, I venture to call this a suggestion of reason, instead of resting my weakness on the broad shoulders of the first seducer of my frail sex.

"It being once demonstrated," continues Rousseau, "that man and woman are not, nor ought to be, constituted alike in temperament and character, it follows of course that they should not be educated in the same manner. In pursuing the directions of nature, they ought indeed to act in concert, but they should not be engaged in the same employments: the end of their pursuits should be the same, but the means they should take to accomplish them, and of consequence their tastes and inclinations, should be different."[4]

[…]

"Here then we see a primary propensity firmly established, which you need only to pursue and regulate. The little creature will doubtless be very desirous to know how to dress up her doll, to make its sleeve-knots, its flounces, its head-dress, &c. she is obliged to have so much recourse to the people about her, for their assistance in these articles, that it would be much more agreeable to her to owe them all to her own industry. Hence we have a good reason for the first lessons that are usually taught these young females: in which we do not appear to be setting them a task, but obliging them, by instructing them in what is immediately useful to themselves. And, in fact, almost all of them learn with reluctance to read and write; but very readily apply themselves to the use of their needles. They imagine themselves already grown up, and think with pleasure that such qualifications will enable them to decorate themselves."[1]

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[1] *compels him to endeavor ... he should be strongest* [Wollstonecraft's note] What nonsense!

[2] *Hence we deduce ... it expedient* Rousseau, *Émile*; Wollstonecraft's italics.

[3] *iron bed of fate ... physical distinctions* An allusion to the bed of Procrustes, which he made to fit all his guests: if they were too short, he stretched them on the rack; if they were too tall, he cut off their extremities.

[4] *It being once demonstrated ... should be different* Rousseau, *Émile*.

This is certainly only an education of the body; but Rousseau is not the only man who has indirectly said that merely the person of a *young* woman, without any mind, unless animal spirits come under that description, is very pleasing. To render it weak, and what some may call beautiful, the understanding is neglected, and girls forced to sit still, play with dolls and listen to foolish conversations;—the effect of habit is insisted upon as an undoubted indication of nature. I know it was Rousseau's opinion that the first years of youth should be employed to form the body, though in educating Emilius he deviates from this plan; yet, the difference between strengthening the body, on which strength of mind in a great measure depends, and only giving it an easy motion, is very wide.

Rousseau's observations, it is proper to remark, were made in a country where the art of pleasing was refined only to extract the grossness of vice. He did not go back to nature, or his ruling appetite disturbed the operations of reason, else he would not have drawn these crude inferences.

In France boys and girls, particularly the latter, are only educated to please, to manage their persons, and regulate their exterior behavior; and their minds are corrupted, at a very early age, by the worldly and pious cautions they receive to guard them against immodesty. I speak of past times. The very confessions which mere children were obliged to make, and the questions asked by the holy men, I assert these facts on good authority, were sufficient to impress a sexual character; and the education of society was a school of coquetry and art. At the age of ten or eleven; nay, often much sooner, girls began to coquet, and talked, unreproved,[2] of establishing themselves in the world by marriage.

In short, they were treated like women, almost from their very birth, and compliments were listened to instead of instruction. These, weakening the mind, Nature was supposed to have acted like a step-mother, when she formed this after-thought of creation.

[…]

Men have superior strength of body; but were it not for mistaken notions of beauty, women would acquire sufficient to enable them to earn their own subsistence, the true definition of independence; and to bear those bodily inconveniencies and exertions that are requisite to strengthen the mind.

Let us then, by being allowed to take the same exercise as boys, not only during infancy, but youth, arrive at perfection of body, that we may know how far the natural superiority of man extends. For what reason or virtue can be expected from a creature when the seed-time of life is neglected? None—did not the winds of heaven casually scatter many useful seeds in the fallow ground.

"Beauty cannot be acquired by dress, and coquetry is an art not so early and speedily attained. While girls are yet young, however, they are in a capacity to study agreeable gesture, a pleasing modulation of voice, an easy carriage and behavior; as well as to take the advantage of gracefully adapting their looks and attitudes to time, place, and occasion. Their application, therefore, should not be solely confined to the arts of industry and the needle, when they come to display other talents, whose utility is already apparent."[3]

"For my part, I would have a young Englishwoman cultivate her agreeable talents, in order to please her future husband, with as much care and assiduity as a young Circassian cultivates hers, to fit her for the Haram of an Eastern bashaw."[4]

To render women completely insignificant, he adds—"The tongues of women are very voluble; they speak earlier, more readily, and more agreeably, than the men; they are accused also of speaking much more: but so it ought to be, and I should be very ready to convert this reproach into a compliment; their lips and eyes have the same activity, and for the same reason. A man speaks of what he knows, a woman of what pleases her; the one requires knowledge, the other taste; the principal object of a man's discourse should be what is useful, that of a woman's what is agreeable. There ought to be nothing in common between their different conversation but truth."

"We ought not, therefore, to restrain the prattle of girls, in the same manner as we should that of boys, with that severe question; *To what purpose are you talking?* but by another, which is no less difficult to answer, *How will your discourse be received?* In infancy, while they are as yet incapable to discern good from evil, they ought to observe it, as a law, never to say any thing disagreeable to those whom they are speaking to: what will render the practice of this rule also the more difficult, is, that it must ever be subordinate to the former, of never speaking falsely or telling an untruth."[1] To govern the tongue in this manner must require great address indeed; and it is too much practiced both by men and women.—Out of the abundance of the heart how few speak![2] So few, that I, who love simplicity, would gladly give up politeness for a quarter of the virtue that has been sacrificed to an equivocal quality which at best should only be the polish of virtue.

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[1] *Here then we see … decorate themselves* Rousseau, *Émile.*

[2] *unreproved* Not rebuked.

[3] *Beauty cannot be acquired … apparent* Rousseau, *Émile.*

[4] *For my part … Eastern bashaw* Rousseau, *Émile*, 374. Circassia, on the northeastern coast of the Black Sea, was proverbial for the beauty of its women.

But, to complete the sketch. "It is easy to be conceived, that if male children be not in a capacity to form any true notions of religion, those ideas must be greatly above the conception of the females.

[…]

"As authority ought to regulate the religion of the women, it is not so needful to explain to them the reasons for their belief, as to lay down precisely the tenets they are to believe: for the creed, which presents only obscure ideas to the mind, is the source of fanaticism; and that which presents absurdities, leads to infidelity."[3]

Absolute, uncontroverted authority, it seems, must subsist somewhere: but is not this a direct and exclusive appropriation of reason? The *rights* of humanity have been thus confined to the male line from Adam downwards. Rousseau would carry his male aristocracy still further, for he insinuates, that he should not blame those, who contend for leaving woman in a state of the most profound ignorance, if it were not necessary in order to preserve her chastity and justify the man's choice, in the eyes of the world, to give her a little knowledge of men, and the customs produced by human passions; else she might propagate at home without being rendered less voluptuous and innocent by the exercise of her understanding: excepting, indeed, during the first year of marriage, when she might employ it to dress like Sophia. "Her dress is extremely modest in appearance, and yet very coquettish in fact: she does not make a display of her charms, she conceals them; but in concealing them, she knows how to affect your imagination. Every one who sees her will say, There is a modest and discreet girl; but while you are near her, your eyes and affections wander all over her person, so that you cannot withdraw them; and you would conclude, that every part of her dress, simple as it seems, was only put in its proper order to be taken to pieces by the imagination."[4] Is this modesty? Is this a preparation for immortality? Again.—What opinion are we to form of a system of education, when the author says of his heroine, "that with her, doing things well, is but a *secondary* concern; her principal concern is to do them *neatly*."[5]

Secondary, in fact, are all her virtues and qualities, for, respecting religion, he makes her parents thus address her, accustomed to submission—"Your husband will instruct you in *good time*."[6]

After thus cramping a woman's mind, if, in order to keep it fair, he have not made it quite a blank, he advises her to reflect, that a reflecting man may not yawn in her company, when he is tired of caressing her.—What has she to reflect about who must obey? and would it not be a refinement on cruelty only to open her mind to make the darkness and misery of her fate *visible*?[7] Yet, these are his sensible remarks; how consistent with what I have already been obliged to quote, to give a fair view of the subject, the reader may determine.

[…]

Why was Rousseau's life divided between ecstasy and misery? Can any other answer be given than this, that the effervescence of his imagination produced both; but, had his fancy been allowed to cool, it is possible that he might have acquired more strength of mind. Still, if the purpose of life be to educate the intellectual part of man, all with respect to him was right; yet, had not death led to a nobler scene of action, it is probable that he would have enjoyed more equal happiness on earth, and have felt the calm sensations of the man of nature instead of being prepared for another stage of existence by nourishing the passions which agitate the civilized man.

But peace to his manes! I war not with his ashes, but his opinions. I war only with the sensibility that led him to degrade woman by making her the slave of love.

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[1] *We ought not, therefore, to restrain … an untruth* Rousseau, *Émile*.

[2] *Out of the abundance of the heart how few speak* See Matthew 12.34. Wollstonecraft inverts the meaning of the original.

[3] *As authority ought … leads to infidelity* Rousseau, *Émile*.

[4] *Her dress is extremely modest … taken to pieces by the imagination* Rousseau, *Émile*, 394.

[5] *that with her … neatly* Rousseau, *Émile*, 395; Wollstonecraft's italics.

[6] *Your husband … in good time* Rousseau, *Émile*, 397; Wollstonecraft's italics.

[7] *her fate visible* Milton, *Paradise Lost* 1.63.

———Curs'd vassalage,
First idoliz'd till love's hot fire be o'er,
Then slaves to those who courted us before.
Dryden.[1]

The pernicious tendency of those books, in which the writers insidiously degrade the sex whilst they are prostrate before their personal charms, cannot be too often or too severely exposed.

Let us, my dear contemporaries, arise above such narrow prejudices! If wisdom be desirable on its own account, if virtue, to deserve the name, must be founded on knowledge; let us endeavor to strengthen our minds by reflection, till our heads become a balance for our hearts; let us not confine all our thoughts to the petty occurrences of the day, or our knowledge to an acquaintance with our lovers' or husbands' hearts; but let the practice of every duty be subordinate to the grand one of improving our minds, and preparing our affections for a more exalted state!

[…]

from Chapter 6: The Effect Which an Early Association of Ideas Has Upon the Character

Educated in the enervating style recommended by the writers on whom I have been animadverting; and not having a chance, from their subordinate state in society, to recover their lost ground, is it surprising that women every where appear a defect in nature? Is it surprising, when we consider what a determinate effect an early association of ideas has on the character, that they neglect their understandings, and turn all their attention to their persons?

The great advantages which naturally result from storing the mind with knowledge, are obvious from the following considerations. The association of our ideas is either habitual or instantaneous; and the latter mode seems rather to depend on the original temperature of the mind than on the will. When the ideas, and matters of fact, are once taken in, they lie by for use, till some fortuitous circumstance makes the information dart into the mind with illustrative force, that has been received at very different periods of our lives. Like the lightning's flash are many recollections; one idea assimilating and explaining another, with astonishing rapidity. I do not now allude to that quick perception of truth, which is so intuitive that it baffles research, and makes us at a loss to determine whether it is reminiscence or ratiocination, lost sight of in its celerity,[2] that with her, doing things well, is but a *secondary* concern; her principal concern is to do them *neatly* that opens the dark cloud. Over those instantaneous associations we have little power; for when the mind is once enlarged by excursive flights, or profound reflection, the raw materials will, in some degree, arrange themselves. The understanding, it is true, may keep us from going out of drawing[3] when we group our thoughts, or transcribe from the imagination the warm sketches of fancy; but the animal spirits, the individual character, give the coloring. Over this subtle electric fluid,[4] how little power do we possess, and over it how little power can reason obtain! These fine intractable spirits appear to be the essence of genius, and beaming in its eagle eye, produce in the most eminent degree the happy energy of associating thoughts that surprise, delight, and instruct. These are the glowing minds that concentrate pictures for their fellow-creatures; forcing them to view with interest the objects reflected from the impassioned imagination, which they passed over in nature.

I must be allowed to explain myself. The generality of people cannot see or feel poetically, they want fancy, and therefore fly from solitude in search of sensible objects; but when an author lends them his eyes they can see as he saw, and be amused by images they could not select, though lying before them.

Education thus only supplies the man of genius with knowledge to give variety and contrast to his associations; but there is an habitual association of ideas, that grows "with our growth,"[5] which has a great effect on the moral character of mankind; and by which a turn is given to the mind that commonly remains throughout life. So ductile[1] is the understanding, and yet so stubborn, that the associations which depend on adventitious circumstances, during the period that the body takes to arrive at maturity, can seldom be disentangled by reason. One idea calls up another, its old associate, and memory, faithful to the first impressions, particularly when the intellectual powers are not employed to cool our sensations, retraces them with mechanical exactness.

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[1] *Curs'd vassalage … courted us before* John Dryden (1631–1700), *The State of Innocence and Fall of Man* (1677) 5.1.58–60. The speaker is Eve.

[2] *celerity* Swiftness.

[3] *may keep us from going out of drawing* I.e., out of perspective.

[4] *subtle electric fluid* [Wollstonecraft's note] I have sometimes, when inclined to laugh at materialists, asked whether, as the most powerful effects in nature are apparently produced by fluids, the magnetic, etc. the passions might not be fine volatile fluids that embraced humanity, keeping the more refractory elementary parts together—or whether they were simply a liquid fire that pervaded the more sluggish materials, giving them life and heat? [Scientists believed that electricity and magnetism were "subtle"—that is, very thin—fluids. In the life sciences, vitalists believed that life itself was such a fluid, which is the materialist position Wollstonecraft is mocking here.]

[5] *with our growth* Pope, *An Essay on Man* 2.136.

This habitual slavery, to first impressions, has a more baneful effect on the female than the male character, because business and other dry employments of the understanding, tend to deaden the feelings and break associations that do violence to reason. But females, who are made women of when they are mere children, and brought back to childhood when they ought to leave the go-cart for ever, have not sufficient strength of mind to efface the superinductions[2] of art that have smothered nature.

[…]

from Chapter 9: Of the Pernicious Effects Which Arise from the Unnatural Distinctions Established in Society

From the respect paid to property flow, as from a poisoned fountain, most of the evils and vices which render this world such a dreary scene to the contemplative mind. For it is in the most polished society that noisome reptiles and venomous serpents lurk under the rank herbage; and there is voluptuousness pampered by the still sultry air, which relaxes every good disposition before it ripens into virtue.

One class presses on another; for all are aiming to procure respect on account of their property: and property, once gained, will procure the respect due only to talents and virtue. Men neglect the duties incumbent on man, yet are treated like demi-gods; religion is also separated from morality by a ceremonial veil, yet men wonder that the world is almost, literally speaking, a den of sharpers or oppressors.

There is a homely proverb, which speaks a shrewd truth, that whoever the devil finds idle he will employ.[3] And what but habitual idleness can hereditary wealth and titles produce? For man is so constituted that he can only attain a proper use of his faculties by exercising them, and will not exercise them unless necessity, of some kind, first set the wheels in motion. Virtue likewise can only be acquired by the discharge of relative duties; but the importance of these sacred duties will scarcely be felt by the being who is cajoled out of his humanity by the flattery of sycophants. There must be more equality established in society, or morality will never gain ground, and this virtuous equality will not rest firmly even when founded on a rock,[4] if one half of mankind be chained to its bottom by fate, for they will be continually undermining it through ignorance or pride.

It is vain to expect virtue from women till they are, in some degree, independent of men; nay, it is vain to expect that strength of natural affection, which would make them good wives and mothers. Whilst they are absolutely dependent on their husbands they will be cunning, mean, and selfish, and the men who can be gratified by the fawning fondness of spaniel-like affection, have not much delicacy, for love is not to be bought, in any sense of the words, its silken wings are instantly shriveled up when any thing beside a return in kind is sought. Yet whilst wealth enervates men; and women live, as it were, by their personal charms, how can we expect them to discharge those ennobling duties which equally require exertion and self-denial. Hereditary property sophisticates the mind, and the unfortunate victims to it, if I may so express myself, swathed from their birth, seldom exert the locomotive faculty of body or mind; and, thus viewing every thing through one medium, and that a false one, they are unable to discern in what true merit and happiness consist. False, indeed, must be the light when the drapery of situation hides the man, and makes him stalk in masquerade, dragging from one scene of dissipation to another the nerveless limbs that hang with stupid listlessness, and rolling round the vacant eye which plainly tells us that there is no mind at home.

I mean, therefore, to infer that the society is not properly organized which does not compel men and women to discharge their respective duties, by making it the only way to acquire that countenance from their fellow-creatures, which every human being wishes some way to attain. The respect, consequently, which is paid to wealth and mere personal charms, is a true north-east blast, that blights the tender blossoms of affection and virtue. Nature has wisely attached affections to duties, to sweeten toil, and to give that vigor to the exertions of reason which only the heart can give. But, the affection which is put on merely because it is the appropriated insignia of a certain character, when its duties are not fulfilled, is one of the empty compliments which vice and folly are obliged to pay to virtue and the real nature of things.

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[1] *ductile* Capable of changing form without breaking, often used to describe metals which can be hammered thin to make wire.

[2] *superinductions* Added features.

[3] *whoever the devil … he will employ* See Isaac Watts (1674–1748), *Divine Songs* (1720), "Song 20" 11–12.

[4] *founded on a rock* Matthew 7.24–25.

To illustrate my opinion, I need only observe, that when a woman is admired for her beauty, and suffers herself to be so far intoxicated by the admiration she receives, as to neglect to discharge the indispensable duty of a mother, she sins against herself by neglecting to cultivate an affection that would equally tend to make her useful and happy. True happiness, I mean all the contentment, and virtuous satisfaction, that can be snatched in this imperfect state, must arise from well regulated affections; and an affection includes a duty. Men are not aware of the misery they cause, and the vicious weakness they cherish, by only inciting women to render themselves pleasing; they do not consider that they thus make natural and artificial duties clash, by sacrificing the comfort and respectability of a woman's life to voluptuous notions of beauty, when in nature they all harmonize.

Cold would be the heart of a husband, were he not rendered unnatural by early debauchery, who did not feel more delight at seeing his child suckled by its mother, than the most artful wanton tricks could ever raise; yet this natural way of cementing the matrimonial tie, and twisting esteem with fonder recollections, wealth leads women to spurn. To preserve their beauty, and wear the flowery crown of the day, which gives them a kind of right to reign for a short time over the sex, they neglect to stamp impressions on their husbands' hearts, that would be remembered with more tenderness when the snow on the head began to chill the bosom, than even their virgin charms. The maternal solicitude of a reasonable affectionate woman is very interesting, and the chastened dignity with which a mother returns the caresses that she and her child receive from a father who has been fulfilling the serious duties of his station, is not only a respectable, but a beautiful sight. So singular, indeed, are my feelings, and I have endeavored not to catch factitious ones, that after having been fatigued with the sight of insipid grandeur and the slavish ceremonies that with cumberous[1] pomp supplied the place of domestic affections, I have turned to some other scene to relieve my eye by resting it on the refreshing green every where scattered by nature. I have then viewed with pleasure a woman nursing her children, and discharging the duties of her station with, perhaps, merely a servant maid to take off her hands the servile part of the household business. I have seen her prepare herself and children, with only the luxury of cleanliness, to receive her husband, who returning weary home in the evening found smiling babes and a clean hearth. My heart has loitered in the midst of the group, and has even throbbed with sympathetic emotion, when the scraping of the well known foot has raised a pleasing tumult.

Whilst my benevolence has been gratified by contemplating this artless picture, I have thought that a couple of this description, equally necessary and independent of each other, because each fulfilled the respective duties of their station, possessed all that life could give.—Raised sufficiently above abject poverty not to be obliged to weigh the consequence of every farthing they spend, and having sufficient to prevent their attending to a frigid system of economy, which narrows both heart and mind. I declare, so vulgar are my conceptions, that I know not what is wanted to render this the happiest as well as the most respectable situation in the world, but a taste for literature, to throw a little variety and interest into social converse, and some superfluous money to give to the needy and to buy books. For it is not pleasant when the heart is opened by compassion and the head active in arranging plans of usefulness, to have a prim urchin continually twitching back the elbow to prevent the hand from drawing out an almost empty purse, whispering at the same time some prudential maxim about the priority of justice.

Destructive, however, as riches and inherited honors are to the human character, women are more debased and cramped, if possible, by them, than men, because men may still, in some degree, unfold their faculties by becoming soldiers and statesmen.

[…]

The preposterous distinctions of rank, which render civilization a curse, by dividing the world between voluptuous tyrants, and cunning envious dependents, corrupt, almost equally, every class of people, because respectability is not attached to the discharge of the relative duties of life, but to the station, and when the duties are not fulfilled the affections cannot gain sufficient strength to fortify the virtue of which they are the natural reward. Still there are some loopholes out of which a man may creep, and dare to think and act for himself; but for a woman it is an Herculean task, because she has difficulties peculiar to her sex to overcome, which require almost super-human powers.

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[1] *cumberous* Cumbersome.

A truly benevolent legislator always endeavors to make it the interest of each individual to be virtuous; and thus private virtue becoming the cement of public happiness,[1] an orderly whole is consolidated by the tendency of all the parts towards a common center. But, the private or public virtue of woman is very problematical; for Rousseau, and a numerous list of male writers, insist that she should all her life be subjected to a severe restraint, that of propriety. Why subject her to propriety—blind propriety, if she be capable of acting from a nobler spring, if she be an heir of immortality? Is sugar always to be produced by vital blood?[2] Is one half of the human species, like the poor African slaves, to be subject to prejudices that brutalize them, when principles would be a surer guard, only to sweeten the cup of man? Is not this indirectly to deny woman reason? for a gift is a mockery, if it be unfit for use.

Women are, in common with men, rendered weak and luxurious by the relaxing pleasures which wealth procures; but added to this they are made slaves to their persons, and must render them alluring that man may lend them his reason to guide their tottering steps aright. Or should they be ambitious, they must govern their tyrants by sinister tricks, for without rights there cannot be any incumbent duties. The laws respecting woman, which I mean to discuss in a future part, make an absurd unit of a man and his wife; and then, by the easy transition of only considering him as responsible, she is reduced to a mere cypher.[3]

The being who discharges the duties of its station is independent; and, speaking of women at large, their first duty is to themselves as rational creatures, and the next, in point of importance, as citizens, is that, which includes so many, of a mother. The rank in life which dispenses with their fulfilling this duty, necessarily degrades them by making them mere dolls. Or, should they turn to something more important than merely fitting drapery upon a smooth block, their minds are only occupied by some soft platonic attachment; or, the actual management of an intrigue may keep their thoughts in motion; for when they neglect domestic duties, they have it not in their power to take the field and march and counter-march like soldiers, or wrangle in the senate to keep their faculties from rusting.

I know that, as a proof of the inferiority of the sex, Rousseau has exultingly exclaimed, How can they leave the nursery for the camp![4]—And the camp has by some moralists been termed the school of the most heroic virtues; though, I think, it would puzzle a keen casuist to prove the reasonableness of the greater number of wars that have dubbed heroes. I do not mean to consider this question critically; because, having frequently viewed these freaks of ambition as the first natural mode of civilization, when the ground must be torn up, and the woods cleared by fire and sword, I do not choose to call them pests; but surely the present system of war has little connection with virtue of any denomination, being rather the school of *finesse* and effeminacy, than of fortitude.

Yet, if defensive war, the only justifiable war, in the present advanced state of society, where virtue can show its face and ripen amidst the rigors which purify the air on the mountain's top, were alone to be adopted as just and glorious, the true heroism of antiquity might again animate female bosoms.—But fair and softly, gentle reader, male or female, do not alarm thyself, for though I have compared the character of a modern soldier with that of a civilized woman, I am not going to advise them to turn their distaff into a musket, though I sincerely wish to see the bayonet converted into a pruning-hook.[5] I only recreated an imagination, fatigued by contemplating the vices and follies which all proceed from a feculent stream of wealth that has muddied the pure rills of natural affection, by supposing that society will some time or other be so constituted, that man must necessarily fulfill the duties of a citizen, or be despised, and that while he was employed in any of the departments of civil life, his wife, also an active citizen, should be equally intent to manage her family, educate her children, and assist her neighbors.

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[1] *A truly benevolent legislator ... public happiness* Allusion to Mandeville, *The Fable of the Bees; or, Private Vices, Public Benefits* (1705). In this satirical work, the philosopher and political economist Bernard de Mandeville (1670–1733) argued against the belief that it is possible to educate for virtue. He describes a community of bees who thrive until they decide to abandon private ambition for public honesty and virtue, much to their demise. In other words, Mandeville claimed that progress is largely due to private vices.

[2] *Is sugar ... vital blood* A boycott of slave-produced sugar was one of the most successful aspects of the abolition campaign (and one in which women could play an active part): by 1792, between three and four hundred thousand consumers were taking part.

[3] *she is reduced to a mere cypher* See William Blackstone (1723–80), *Commentaries on the Laws of England* (1765–69) 430; 1.15.

[4] *How can they leave ... for the camp* Rousseau, *Émile*.

[5] *bayonet converted into a pruning-hook* See Isaiah 2.4: "They shall beat their swords into plowshares, and their spears into pruning-hooks."

But, to render her really virtuous and useful, she must not, if she discharge her civil duties, want, individually, the protection of civil laws; she must not be dependent on her husband's bounty for her subsistence during his life, or support after his death—for how can a being be generous who has nothing of its own? or, virtuous, who is not free? The wife, in the present state of things, who is faithful to her husband, and neither suckles nor educates her children, scarcely deserves the name of a wife, and has no right to that of a citizen. But take away natural rights, and duties become null.

Women then must be considered as only the wanton solace of men, when they become so weak in mind and body, that they cannot exert themselves, unless to pursue some frothy pleasure, or to invent some frivolous fashion. What can be a more melancholy sight to a thinking mind, than to look into the numerous carriages that drive helter-skelter about this metropolis in a morning full of pale-faced creatures who are flying from themselves. I have often wished, with Dr. Johnson,[1] to place some of them in a little shop with half a dozen children looking up to their languid countenances for support. I am much mistaken, if some latent vigor would not soon give health and spirit to their eyes, and some lines drawn by the exercise of reason on the blank cheeks, which before were only undulated by dimples, might restore lost dignity to the character, or rather enable it to attain the true dignity of its nature. Virtue is not to be acquired even by speculation, much less by the negative supineness that wealth naturally generates.

Besides, when poverty is more disgraceful than even vice, is not morality cut to the quick? Still to avoid misconstruction, though I consider that women in the common walks of life are called to fulfill the duties of wives and mothers, by religion and reason, I cannot help lamenting that women of a superior cast have not a road open by which they can pursue more extensive plans of usefulness and independence. I may excite laughter, by dropping an hint, which I mean to pursue, some future time, for I really think that women ought to have representatives, instead of being arbitrarily governed without having any direct share allowed them in the deliberations of government.[2]

But, as the whole system of representation is now, in this country, only a convenient handle for despotism, they need not complain, for they are as well represented as a numerous class of hard working mechanics, who pay for the support of royalty when they can scarcely stop their children's mouths with bread. How are they represented whose very sweat supports the splendid stud of an heir apparent, or varnishes the chariot of some female favorite who looks down on shame? Taxes on the very necessaries of life, enable an endless tribe of idle princes and princesses to pass with stupid pomp before a gaping crowd, who almost worship the very parade which costs them so dear. This is mere gothic grandeur, something like the barbarous useless parade of having sentinels on horseback at Whitehall,[3] which I could never view without a mixture of contempt and indignation.

How strangely must the mind be sophisticated when this sort of state impresses it! But, till these monuments of folly are leveled by virtue, similar follies will leaven the whole mass. For the same character, in some degree, will prevail in the aggregate of society: and the refinements of luxury, or the vicious repinings[4] of envious poverty, will equally banish virtue from society, considered as the characteristic of that society, or only allow it to appear as one of the stripes of the harlequin coat, worn by the civilized man.

In the superior ranks of life, every duty is done by deputies, as if duties could ever be waved, and the vain pleasures which consequent idleness forces the rich to pursue, appear so enticing to the next rank, that the numerous scramblers for wealth sacrifice every thing to tread on their heels. The most sacred trusts are then considered as sinecures, because they were procured by interest, and only sought to enable a man to keep *good company*. Women, in particular, all want to be ladies. Which is simply to have nothing to do, but listlessly to go they scarcely care where, for they cannot tell what.

But what have women to do in society? I may be asked, but to loiter with easy grace; surely you would not condemn them all to suckle fools and chronicle small beer![5] No. Women might certainly study the art of healing, and be physicians as well as nurses. And midwifery, decency seems to allot to them, though I am afraid the word midwife, in our dictionaries, will soon give place to *accoucheur*, and one proof of the former delicacy of the sex be effaced from the language.

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[1] *Dr. Johnson* Johnson, *The Rambler* 85 (8 January 1751), "The Mischiefs of Total Idleness."

[2] *without having ... deliberations of government* British women were granted the vote with some property restrictions in 1918, and without restriction in 1928.

[3] *Whitehall* Whitehall is the location of the most important offices of the British government. The horse guards are still there.

[4] *repinings* Complaints.

[5] *suckle fools and chronicle small beer* Shakespeare, *Othello* 2.1.159.

They might, also, study politics, and settle their benevolence on the broadest basis; for the reading of history will scarcely be more useful than the perusal of romances, if read as mere biography; if the character of the times, the political improvements, arts, &c. be not observed. In short, if it be not considered as the history of man; and not of particular men, who filled a niche in the temple of fame, and dropped into the black rolling stream of time, that silently sweeps all before it, into the shapeless void called—eternity.—For shape, can it be called, "that shape hath none?"[1]

Business of various kinds, they might likewise pursue, if they were educated in a more orderly manner, which might save many from common and legal prostitution. Women would not then marry for a support, as men accept of places under government, and neglect the implied duties; nor would an attempt to earn their own subsistence, a most laudable one! sink them almost to the level of those poor abandoned creatures who live by prostitution. For are not milliners and mantua[2]-makers reckoned the next class? The few employments open to women, so far from being liberal, are menial; and when a superior education enables them to take charge of the education of children as governesses, they are not treated like the tutors of sons, though even clerical tutors are not always treated in a manner calculated to render them respectable in the eyes of their pupils, to say nothing of the private comfort of the individual. But as women educated like gentlewomen, are never designed for the humiliating situation which necessity sometimes forces them to fill; these situations are considered in the light of a degradation; and they know little of the human heart, who need to be told, that nothing so painfully sharpens sensibility as such a fall in life.

Some of these women might be restrained from marrying by a proper spirit or delicacy, and others may not have had it in their power to escape in this pitiful way from servitude; is not that government then very defective, and very unmindful of the happiness of one half of is members, that does not provide for honest, independent women, by encouraging them to fill respectable stations? But in order to render their private virtue a public benefit,[3] they must have a civil existence in the State, married or single; else we shall continually see some worthy woman, whose sensibility has been rendered painfully acute by undeserved contempt, droop like "the lily broken down by a plow-share."[4]

It is a melancholy truth; yet such is the blessed effect of civilization! the most respectable women are the most oppressed;[5] and, unless they have understandings far superior to the common run of understandings, taking in both sexes, they must, from being treated like contemptible beings, become contemptible. How many women thus waste life away the prey of discontent, who might have practiced as physicians, regulated a farm, managed a shop, and stood erect, supported by their own industry,[6] instead of hanging their heads surcharged with the dew of sensibility, that consumes the beauty to which it at first gave luster;[7] nay, I doubt whether pity and love are so near akin as poets feign, for I have seldom seen much compassion excited by the helplessness of females, unless they were fair; then, perhaps, pity was the soft handmaid of love, or the harbinger of lust.

How much more respectable is the woman who earns her own bread by fulfilling any duty, than the most accomplished beauty!—beauty did I say?—so sensible am I of the beauty of moral loveliness, or the harmonious propriety that attunes the passions of a well-regulated mind, that I blush at making the comparison; yet I sigh to think how few women aim at attaining this respectability by withdrawing from the giddy whirl of pleasure, or the indolent calm that stupifies the good sort of women it sucks in.

Proud of their weakness, however, they must always be protected, guarded from care, and all the rough toils that dignify the mind.—If this be the fiat of fate, if they will make themselves insignificant and contemptible, sweetly to waste "life away," let them not expect to be valued when their beauty fades, for it is the fate of the fairest flowers to be admired and pulled to pieces by the careless hand that plucked them. In how many ways do I wish, from the purest benevolence, to impress this truth on my sex; yet

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[1] *that shape hath none* Milton, *Paradise Lost* 3.11–12, 2.667.

[2] *mantua* Loose gown worn by women.

[3] *private virtue a public benefit* Another allusion to Mandeville, *The Fable of the Bees; or, Private Vices, Public Benefits.*

[4] *the lily ... plow-share* Fénelon, *The Adventures of Telemachus*, trans. Isaac Littlebury (1699) 1.152; see Robert Burns (1759–96), "To a Mountain-Daisy, On Turning One Down, with the Plough, in April—1786" 49–54.

[5] *the most respectable women ... most oppressed* Ironic echo of the opening sentences of Jonathan Swift's "A Modest Proposal" (1729).

[6] *How many women ... their own industry* See Thomas Gray, "Elegy Written in a Country Church-Yard" (1768) 53–60.

[7] *consumes the beauty ... first gave luster* See Shakespeare, Sonnet 73, line 12.

I fear that they will not listen to a truth that dear bought experience has brought home to many an agitated bosom, nor willingly resign the privileges of rank and sex for the privileges of humanity, to which those have no claim who do not discharge its duties.

Those writers are particularly useful, in my opinion, who make man feel for man, independent of the station he fills, or the drapery of factitious sentiments. I then would fain convince reasonable men of the importance of some of my remarks; and prevail on them to weigh dispassionately the whole tenor of my observations.—I appeal to their understandings; and, as a fellow-creature, claim, in the name of my sex, some interest in their hearts. I entreat them to assist to emancipate their companion, to make her a *help meet* for them!

Would men but generously snap our chains, and be content with rational fellowship instead of slavish obedience, they would find us more observant daughters, more affectionate sisters, more faithful wives, more reasonable mothers—in a word, better citizens. We should then love them with true affection, because we should learn to respect ourselves; and the peace of mind of a worthy man would not be interrupted by the idle vanity of his wife, nor the babes sent to nestle in a strange bosom, having never found a home in their mother's.

[…]

from Chapter 12: On National Education

The good effects resulting from attention to private education will ever be very confined, and the parent who really puts his own hand to the plow, will always, in some degree, be disappointed, till education becomes a grand national concern. A man cannot retire into a desert with his child, and if he did, he could not bring himself back to childhood, and become the proper friend and play-fellow of an infant or youth. And when children are confined to the society of men and women, they very soon acquire that kind of premature manhood which stops the growth of every vigorous power of mind or body. In order to open their faculties they should be excited to think for themselves; and this can only be done by mixing a number of children together, and making them jointly pursue the same objects.

A child very soon contracts a benumbing indolence of mind, which he has seldom sufficient vigor to shake off, when he only asks a question instead of seeking for information, and then relies implicitly on the answer he receives. With his equals in age this could never be the case, and the subjects of inquiry, though they might be influenced, would not be entirely under the direction of men, who frequently damp, if not destroy abilities, by bringing them forward too hastily: and too hastily they will infallibly be brought forward, if the child could be confined to the society of a man, however sagacious that man may be.

Besides, in youth the seeds of every affection should be sown, and the respectful regard, which is felt for a parent, is very different from the social affections that are to constitute the happiness of life as it advances. Of these, equality is the basis, and an intercourse of sentiments unclogged by that observant seriousness which prevents disputation, though it may not enforce submission. Let a child have ever such an affection for his parent, he will always languish to play and chat with children; and the very respect he entertains, for filial esteem always has a dash of fear mixed with it, will, if it do not teach him cunning, at least prevent him from pouring out the little secrets which first open the heart to friendship and confidence, gradually leading to more expansive benevolence. Added to this, he will never acquire that frank ingenuousness of behavior, which young people can only attain by being frequently in society, where they dare to speak what they think; neither afraid of being reproved for their presumption, nor laughed at for their folly.

Forcibly impressed by the reflections which the sight of schools, as they are at present conducted, naturally suggested, I have formerly delivered my opinion rather warmly in favor of a private education; but further experience has led me to view the subject in a different light. I still, however, think schools, as they are now regulated, the hot-beds of vice and folly, and the knowledge of human nature, supposed to be attained there, merely cunning selfishness.

At school, boys become gluttons and slovens,[1] and, instead of cultivating domestic affections, very early rush into the libertinism which destroys the constitution before it is formed; hardening the heart as it weakens the understanding.

I should, in fact, be averse to boarding-schools, if it were for no other reason than the unsettled state of mind which the expectation of the vacations produce. On these the children's thoughts are fixed with eager anticipating hopes, for, at least, to speak with moderation, half of the time, and when they arrive they are spent in total dissipation and beastly indulgence.

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[1] *slovens* People who are careless regarding their personal appearance.

But, on the contrary, when they are brought up at home, though they may pursue a plan of study in a more orderly manner than can be adopted, when near a fourth part of the year is actually spent in idleness, and as much more in regret and anticipation; yet they there acquire too high an opinion of their own importance, from being allowed to tyrannize over servants, and from the anxiety expressed by most mothers, on the score of manners, who, eager to teach the accomplishments of a gentleman, stifle, in their birth, the virtues of a man. Thus brought into company when they ought to be seriously employed, and treated like men when they are still boys, they become vain and effeminate.

The only way to avoid two extremes equally injurious to morality, would be to contrive some way of combining a public and private education. Thus to make men citizens, two natural steps might be taken, which seem directly to lead to the desired point; for the domestic affections, that first open the heart to the various modifications of humanity would be cultivated, whilst the children were nevertheless allowed to spend great part of their time, on terms of equality, with other children.

I still recollect, with pleasure, the country day school; where a boy trudged in the morning, wet or dry, carrying his books, and his dinner, if it were at a considerable distance; a servant did not then lead master by the hand, for, when he had once put on coat and breeches, he was allowed to shift for himself, and return alone in the evening to recount the feats of the day close at the parental knee. His father's house was his home, and was ever after fondly remembered; nay, I appeal to some superior men who were educated in this manner, whether the recollection of some shady lane where they conned their lesson; or, of some stile, where they sat making a kite, or mending a bat, has not endeared their country to them?

But, what boy ever recollected with pleasure the years he spent in close confinement, at an academy near London? unless indeed he should by chance remember the poor scare-crow of an usher whom he tormented; or, the tartman, from whom he caught a cake, to devour it with the cattish appetite of selfishness. At boarding schools of every description, the relaxation of the junior boys is mischief; and of the senior, vice. Besides, in great schools what can be more prejudicial to the moral character, than the system of tyranny and abject slavery which is established amongst the boys, to say nothing of the slavery to forms, which makes religion worse than a farce? For what good can be expected from the youth who receives the sacrament of the Lord's supper, to avoid forfeiting half-a-guinea, which he probably afterwards spends in some sensual manner? Half the employment of the youths is to elude the necessity of attending public worship; and well they may, for such a constant repetition of the same thing must be a very irksome restraint on their natural vivacity. As these ceremonies have the most fatal effect on their morals, and as a ritual performed by the lips, when the heart and mind are far away, is not now stored up by our church as a bank to draw on for the fees of the poor souls in purgatory, why should they not be abolished?

[…]

In order then to inspire a love of home and domestic pleasures, children ought to be educated at home, for riotous holidays only make them fond of home for their own sakes. Yet, the vacations, which do not foster domestic affections, continually disturb the course of study, and render any plan of improvement abortive which includes temperance; still, were they abolished, children would be entirely separated from their parents, and I question whether they would become better citizens by sacrificing the preparatory affections, by destroying the force of relationships that render the marriage state as necessary as respectable. But, if a private education produce self-importance, or insulates a man in his family, the evil is only shifted, not remedied.

This train of reasoning brings me back to a subject, on which I mean to dwell, the necessity of establishing proper day-schools.

But these should be national establishments, for whilst school-masters are dependent on the caprice of parents, little exertion can be expected from them, more than is necessary to please ignorant people. Indeed, the necessity of a master's giving the parents some sample of the boy's abilities, which during the vacation, is shown to every visitor, is productive of more mischief than would at first be supposed. For they are seldom done entirely, to speak with moderation, by the child itself; thus the master countenances falsehoods, or winds the poor machine up to some extraordinary exertion, that injures the wheels, and stops the progress of gradual improvement. The memory is loaded with unintelligible words, to make a show of, without the understanding's acquiring any distinct ideas: but only that education deserves emphatically to be termed cultivation of mind, which teaches young people how to begin to think. The imagination should not be allowed to debauch the understanding before it gained strength, or vanity will become the forerunner of vice: for every way of exhibiting the acquirements of a child is injurious to its moral character.

How much time is lost in teaching them to recite what they do not understand! whilst, seated on benches, all in their best array, the mammas listen with astonishment to the parrot-like prattle, uttered in solemn cadences, with all the pomp of ignorance and folly. Such exhibitions only serve to strike the spreading fibers of vanity through the whole mind; for they neither teach children to speak fluently, nor behave gracefully. So far from it, that these frivolous pursuits might comprehensively be termed the study of affectation: for we now rarely see a simple, bashful boy, though few people of taste were ever disgusted by that awkward sheepishness so natural to the age, which schools and an early introduction into society, have changed into impudence and apish grimace.

Yet, how can these things be remedied whilst schoolmasters depend entirely on parents for a subsistence; and when so many rival schools hang out their lures to catch the attention of vain fathers and mothers, whose parental affection only leads them to wish, that their children should outshine those of their neighbors?

Without great good luck, a sensible, conscientious man, would starve before he could raise a school, if he disdained to bubble weak parents, by practicing the secret tricks of the craft.

In the best regulated schools, however, where swarms are not crammed together many bad habits must be acquired; but, at common schools, the body, heart, and understanding, are equally stunted, for parents are often only in quest of the cheapest school, and the master could not live, if he did not take a much greater number than he could manage himself; nor will the scanty pittance, allowed for each child, permit him to hire ushers sufficient to assist in the discharge of the mechanical part of the business. Besides, whatever appearance the house and garden may make, the children do not enjoy the comforts of either, for they are continually reminded, by irksome restrictions, that they are not at home, and the state-rooms, garden, &c. must be kept in order for the recreation of the parents; who, of a Sunday, visit the school, and are impressed by the very parade that renders the situation of their children uncomfortable.

With what disgust have I heard sensible women, for girls are more restrained and cowed than boys, speak of the wearisome confinement which they endured at school. Not allowed, perhaps, to step out of one broad walk in a superb garden, and obliged to pace with steady deportment stupidly backwards and forwards, holding up their heads, and turning out their toes, with shoulders braced back, instead of bounding, as nature directs to complete her own design, in the various attitudes so conducive to health. The pure animal spirits, which make both mind and body shoot out, and unfold the tender blossoms of hope are turned sour, and vented in vain wishes, or pert repinings, that contract the faculties and spoil the temper; else they mount to the brain and sharpening the understanding before it gains proportionable strength, produce that pitiful cunning which disgracefully characterizes the female mind—and I fear will ever characterize it whilst women remain the slaves of power!

The little respect which the male world pay to chastity is, I am persuaded, the grand source of many of the physical and moral evils that torment mankind, as well as of the vices and follies that degrade and destroy women; yet at school, boys infallibly lose that decent bashfulness, which might have ripened into modesty at home.

And what nasty indecent tricks do they not also learn from each other, when a number of them pig together in the same bedchamber, not to speak of the vices, which render the body weak, whilst they effectually prevent the acquisition of delicacy of mind. The little attention paid to the cultivation of modesty, amongst men, produces great depravity in all the relationships of society; for, not only love—love that ought to purify the heart, and first call forth all the youthful powers, to prepare the man to discharge the benevolent duties of life, is sacrificed to premature lust; but, all the social affections are deadened by the selfish gratifications, which very early pollute the mind, and dry up the generous juices of the heart. In what an unnatural manner is innocence often violated; and what serious consequences ensue to render private vices a public pest. Besides, a habit of personal order, which has more effect on the moral character, than is, in general, supposed, can only be acquired at home, where that respectable reserve is kept up which checks the familiarity, that sinking in beastliness, undermines the affection it insults.

I have already animadverted on the bad habits which females acquire when they are shut up together; and I think that the observation may fairly be extended to the other sex, till the natural inference is drawn which I have had in view throughout—that to improve both sexes they ought, not only in private families, but in public schools, to be educated together. If marriage be the cement of society, mankind should all be educated after the same model, or the intercourse of the sexes will never deserve the name of fellowship, nor will women ever fulfill the peculiar duties of their sex, till they become enlightened citizens, till they become free, by being enabled to earn their own subsistence, independent of men; in the same manner, I mean, to prevent misconstruction, as one man is independent of another. Nay, marriage will never be held sacred till women by being brought up with men, are prepared to be their companions, rather than their mistresses; for the mean doublings of cunning will ever render them contemptible, whilst oppression renders them timid. So convinced am I of this truth, that I will venture to predict, that virtue will never prevail in society till the virtues of both sexes are founded on reason; and, till the affection common to both are allowed to gain their due strength by the discharge of mutual duties.

Were boys and girls permitted to pursue the same studies together, those graceful decencies might early be inculcated which produce modesty, without those sexual distinctions that taint the mind. Lessons of politeness, and that formulary of decorum, which treads on the heels of falsehood, would be rendered useless by habitual propriety of behavior. Not, indeed put on for visitors like the courtly robe of politeness, but the sober effect of cleanliness of mind. Would not this simple elegance of sincerity be a chaste homage paid to domestic affections, far surpassing the meretricious compliments that shine with false luster in the heartless intercourse of fashionable life? But, till more understanding preponderate in society, there will ever be a want of heart and taste, and the harlot's *rouge* will supply the place of that celestial suffusion which only virtuous affections can give to the face. Gallantry, and what is called love, may subsist without simplicity of character; but the main pillars of friendship, are respect and confidence—esteem is never founded on it cannot tell what!

A taste for the fine arts requires great cultivation; but not more than a taste for the virtuous affections: and both suppose that enlargement of mind which opens so many sources of mental pleasure. Why do people hurry to noisy scenes and crowded circles? I should answer, because they want activity of mind, because they have not cherished the virtues of the heart. They only, therefore, see and feel in the gross, and continually pine after variety, finding every thing that is simple, insipid.

This argument may be carried further than philosophers are aware of, for if nature destined woman, in particular, for the discharge of domestic duties, she made her susceptible of the attached affections in a great degree. Now women are notoriously fond of pleasure; and naturally must be so, according to my definition, because they cannot enter into the minutiae of domestic taste; lacking judgment the foundation of all taste. For the understanding, in spite of sensual cavillers, reserves to itself the privilege of conveying pure joy to the heart.

With what a languid yawn have I seen an admirable poem thrown down, that a man of true taste returns to, again and again with rapture; and, whilst melody has almost suspended respiration, a lady has asked me where I bought my gown. I have seen also an eye glanced coldly over a most exquisite picture, rest, sparkling with pleasure, on a caricature rudely sketched; and whilst some terrific feature in nature has spread a sublime stillness through my soul, I have been desired to observe the pretty tricks of a lap-dog, that my perverse fate forced me to travel with. Is it surprising, that such a tasteless being should rather caress this dog than her children? Or, that she should prefer the rant of flattery to the simple accents of sincerity?

To illustrate this remark I must be allowed to observe, that men of the first genius, and most cultivated minds, have appeared to have the highest relish for the simple beauties of nature; and they must have forcibly felt, what they have so well described, the charm, which natural affections, and unsophisticated feelings spread round the human character. It is this power of looking into the heart, and responsively vibrating with each emotion, that enables the poet to personify each passion, and the painter to sketch with a pencil of fire.

True taste is ever the work of the understanding employed in observing natural effects; and till women have more understanding, it is vain to expect them to possess domestic taste. Their lively senses will ever be at work to harden their hearts, and the emotions struck out of them will continue to be vivid and transitory, unless a proper education stores their minds with knowledge.

It is the want of domestic taste, and not the acquirement of knowledge, that takes women out of their families, and tears the smiling babe from the breast that ought to afford it nourishment. Women have been allowed to remain in ignorance, and slavish dependence, many, very many years, and still we hear of nothing but their fondness of pleasure and sway, their preference of rakes and soldiers, their childish attachment to toys, and the vanity that makes them value accomplishments more than virtues.

History brings forward a fearful catalogue of the crimes which their cunning has produced, when the weak slaves have had sufficient address to over-reach their masters. In France, and in how many other countries have men been the luxurious despots, and women the crafty ministers? Does this prove that ignorance and dependence domesticate them? Is not their folly the by-word of the libertines, who relax in their society; and do not men of sense continually lament, that an immoderate fondness for dress and dissipation carries the mother of a family for ever from home? Their hearts have not been debauched by knowledge, nor their minds led astray by scientific pursuits; yet, they do not fulfill the peculiar duties, which as women they are called upon by nature to fulfill. On the contrary, the state of warfare which subsists between the sexes, makes them employ those wiles, that frustrate the more open designs of force.

When, therefore, I call women slaves, I mean in a political and civil sense; for, indirectly they obtain too much power, and are debased by their exertions to obtain illicit sway.

Let an enlightened nation then try what effect reason would have to bring them back to nature, and their duty; and allowing them to share the advantages of education and government with man, see whether they will become better, as they grow wiser and become free. They cannot be injured by the experiment; for it is not in the power of man to render them more insignificant than they are at present.

To render this practicable, day schools for particular ages should be established by government, in which boys and girls might be educated together. The school for the younger children, from five to nine years of age, ought to be absolutely free and open to all classes. A sufficient number of masters should also be chosen by a select committee, in each parish, to whom any complaint of negligence, &c. might be made, if signed by six of the children's parents.

Ushers would then be unnecessary; for, I believe, experience will ever prove, that this kind of subordinate authority is particularly injurious to the morals of youth. What, indeed, can tend to deprave the character more than outward submission and inward contempt? Yet, how can boys be expected to treat an usher with respect when the master seems to consider him in the light of a servant, and almost to countenance the ridicule which becomes the chief amusement of the boys during the play hours?

But nothing of this kind could occur in an elementary day-school, where boys and girls, the rich and poor, should meet together. And to prevent any of the distinctions of vanity, they should be dressed alike, and all obliged to submit to the same discipline, or leave the school. The school-room ought to be surrounded by a large piece of ground, in which the children might be usefully exercised, for at this age they should not be confined to any sedentary employment for more than an hour at a time. But these relaxations might all be rendered a part of elementary education, for many things improve and amuse the senses, when introduced as a kind of show, to the principles of which dryly laid down, children would turn a deaf ear. For instance, botany, mechanics, and astronomy. Reading, writing, arithmetic, natural history, and some simple experiments in natural philosophy, might fill up the day; but these pursuits should never encroach on gymnastic plays in the open air. The elements of religion, history, the history of man, and politics, might also be taught by conversations, in the Socratic form.

After the age of nine, girls and boys, intended for domestic employments, or mechanical trades, ought to be removed to other schools, and receive instruction, in some measure appropriated to the destination of each individual, the two sexes being still together in the morning; but in the afternoon, the girls should attend a school, where plain work, mantua-making, millinery,[1] &c. would be their employment.

The young people of superior abilities, or fortune, might now be taught, in another school, the dead and living languages, the elements of science, and continue the study of history and politics, on a more extensive scale, which would not exclude polite literature.

Girls and boys still together? I hear some readers ask: yes. And I should not fear any other consequence, than that some early attachment might take place; which, whilst it had the best effect on the moral character of the young people, might not perfectly agree with the views of the parents, for it will be a long time, I fear, before the world is so enlightened, that parents, only anxious to render their children virtuous, will let them choose companions for life themselves.

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[1] *millinery* Hat-making.

Besides, this would be a sure way to promote early marriages, and from early marriages the most salutary physical and moral effects naturally flow. What a different character does a married citizen assume from the selfish coxcomb, who lives but for himself, and who is often afraid to marry lest he should not be able to live in a certain style. Great emergencies excepted, which would rarely occur in a society of which equality was the basis, a man could only be prepared to discharge the duties of public life, by the habitual practice of those inferior ones which form the man.

In this plan of education, the constitution of boys would not be ruined by the early debaucheries, which now make men so selfish, nor girls rendered weak and vain, by indolence and frivolous pursuits. But, I presuppose, that such a degree of equality should be established between the sexes as would shut out gallantry and coquetry, yet allow friendship and love to temper the heart for the discharge of higher duties.

These would be schools of morality—and the happiness of man, allowed to flow from the pure springs of duty and affection, what advances might not the human mind make? Society can only be happy and free in proportion as it is virtuous; but the present distinctions, established in society, corrode all private, and blast all public virtue.

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from Chapter 13: Some Instances of the Folly Which the Ignorance of Women Generates; with Concluding Reflections on the Moral Improvement that a Revolution in Female Manners Might Naturally Be Expected to Produce

[…]

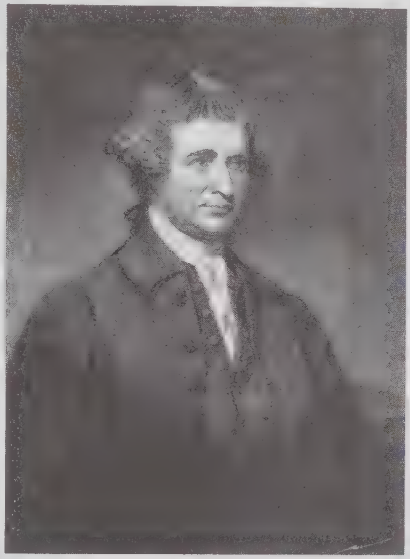
Asserting the rights which women in common with men ought to contend for, I have not attempted to extenuate their faults; but to prove them to be the natural consequence of their education and station in society. If so, it is reasonable to suppose that they will change their character, and correct their vices and follies, when they are allowed to be free in a physical, moral, and civil sense.

Let woman share the rights and she will emulate the virtues of man; for she must grow more perfect when emancipated, or justify the authority that chains such a weak being to her duty.—If the latter, it will be expedient to open a fresh trade with Russia for whips; a present which a father should always make to his son-in-law on his wedding day, that a husband may keep his whole family in order by the same means; and without any violation of justice reign, wielding this scepter, sole master of his house, because he is the only being in it who has reason:—the divine, indefeasible earthly sovereignty breathed into man by the Master of the universe. Allowing this position, women have not any inherent rights to claim, and by the same rule, their duties vanish, for rights and duties are inseparable.

Be just then, O ye men of understanding! and mark not more severely what women do amiss, than the vicious tricks of the horse or the ass for whom ye provide provender—and allow her the privileges of ignorance, to whom ye deny the rights of reason, or ye will be worse than Egyptian task-masters, expecting virtue where nature has not given understanding!

EDMUND BURKE

(1729 – 1797)



Edmund Burke was a member of the English Parliament and a renowned orator as well as a prolific and distinguished writer. His most famous work was an attack on the French Revolution, published in 1790 very soon after the Revolution had begun, and predicting with some accuracy the revolutionary excesses still to come. *Reflections on the Revolution in France* was widely read and hugely influential—provoking both enthusiastic support and impassioned opposition. "Read it," urged the half-mad and reactionary King George III, "It will do you good—do you good! Every gentleman should read it."[1] On the other side, Thomas Paine, the hero of the American revolutionary movement, declared at the beginning of *The Rights of Man* (a work largely devoted to refuting Burke), "Among the incivilities by which nations or individuals provoke and irritate each other, Mr. Burke's pamphlet on the French Revolution is an extraordinary instance ... Everything which rancour, prejudice, ignorance or knowledge could suggest, is poured forth in the copious fury of near four hundred pages."[2]

Burke's *Reflections* earned him the reputation of a defender of aristocracy and monarchy, of status and hierarchy, of tradition and custom, of religion and the established social order—in short, of political conservatism (in one important form). And he is still considered a founding figure of the conservative movement.

Burke was born in Dublin, Ireland, in 1729. His father was a successful Protestant attorney, and his mother a Catholic; he was brought up a Catholic. After finishing his education at Trinity College in Dublin, he went to England intending to start a career in the law, but instead turned to writing, on, among other things, aesthetics and social philosophy. In 1765 he took a job with the leader of the Whig party, and shortly thereafter took a seat in Parliament, elected member for Bristol, England's second most important city at the time.

Over the next twenty-five years, he was a prolific producer of political pamphlets and speeches. His well-known speech to the electors of Bristol defended representative democracy, the system in which elected members are not expected always to represent exactly the views of the majority of their constituents; as "trustees" they should in Burke's view vote reflecting their own conscience and their understanding of the long-term public good, rather than as mere "delegates"—mouthpieces for the views of those who elected them.

The most important political and literary event of Burke's life was the 1790 publication of his strongly critical work on the French Revolution. Paine and other commentators on this work expressed surprise that Burke's views had undergone such a drastic reversal: Burke had previously been a strong advocate of the "progressive" views of the Whig party, supporting limitations on the power of the monarch, attacking the corrupt and harmful policies of the East India Company in the Indian colonies, condemning the persecution of the Catholics in Ireland, and criticizing the unjust treatment of the colonists in pre-revolutionary America. "The temper and character which prevail in our [American] Colonies," he had written, "are, I am afraid, unalterable by any human art. We cannot, I fear, falsify the pedigree of this fierce people, and persuade them that they are not sprung from a nation in whose veins the blood of freedom circulates.... An Englishman is the unfittest person on earth to argue another Englishman into slavery."[3]

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[1] Quoted by William Ebenstein, "Burke" in *Great Political Thinkers: Plato to the Present*, Fourth Edition (Hinsdale, IL: Dryden Press, 1969), 475.

[2] In "Part the First: Being an Answer to Mr. Burke's Attack on the French Revolution" (1791).

[3] Burke's 1775 speech "*On Conciliation with the Colonies.*"

But Burke saw the French Revolution as being different in character from the American one. In 1790 the French Revolution had not yet reached its worst excesses, but even then he saw it as a descent into chaos, a rupture of the social contract, threatening Europe with atheism, destruction, anarchy, and terror. And in 1790 Burke argued on behalf of small, gradual reforms, suggesting that these would serve to disarm revolutionary social critics and preserve the basic traditions and institutions of society. "I love a manly, moral, regulated liberty as well as any gentleman" he said in *Reflections*, but "the circumstances are what render every civil and political scheme beneficial or noxious to mankind." And in the circumstances of revolutionary France, Burke argued, the ideal of liberty, as put into practice by the revolutionaries, was noxious, producing tyranny and chaos.

The attempt to radically reconstruct society, Burke argued, must inevitably have terrible results; the only way to avoid disaster is to preserve historical inequalities and hierarchies. So the French Revolution, which aimed at the destruction of the traditional, was horrifying to him. He preferred property, tradition, and community to the French ideals of *liberté*, *egalité*, and *fraternité*.

These views put Burke in the company of Enlightenment figures such as David Hume, and in opposition to those who (in a tradition stemming largely from John Locke) believed that an intellectual understanding of the functions and mechanisms of society, and of the God-given rights of individuals, could result in a rational social reconstruction, and in freedom from the disfunctions of tradition. But Burke distrusted reason as a basis for choosing among social institutions. Some commentators see a source of this distrust in his Christian pessimism: the fallen state of humans makes them forever prone to suffering and disaster, and the traditional social framework has at least worked to mitigate (to the limited extent this was possible) the human propensity for violence and chaos.[1] The best we can do then is to try to hold on to what has worked in the past; even if it has not worked well, it is likely to be superior to anything human reason could design as a replacement.

Burke thought of society not as the sum of individuals, but rather as a kind of living organism, operating rather sluggishly by its own slow laws of adaptive development. Its well-established customs and institutions are a system of obligations and privileges that have stood the test of time, and must not be overthrown by abstract theoretical idealism. Our common-sense "prejudices"—automatic unreflective beliefs and values, without conscious justification—are more reliable, he thought, than the pronouncements of theory. His background in practical politics is reflected by his advocacy of a pragmatic political approach which works slowly and experimentally, and of political thought anchored within the context of practice.

Burke took it that people are made what they are by the historically evolved society they live in. And he thought that this state of affairs constituted an implied justification for his traditionalism—his opposition to radical change, and his conservative attachment to the status quo. Interestingly, the idea of the social construction of individuals is a basic tenet of contemporary communitarianism, which may owe more to Burke than is generally acknowledged. Communitarianism nowadays is often associated with left-wing views, but its similarities with Burke's position—both reject Enlightenment individualism and rationalism—are instructive to contemplate.

Though Burke is best known for the strong stance he took in response to the American and French revolutions, he put forward important arguments in a wide variety of contexts. His 1788 attack on the alleged tendency of the colonial administrator Warren Hastings to be too accommodating of local laws and customs (referred to by Burke as a "geographical morality"), for example, has considerable relevance to today's debates about moral relativism.

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[1] For this view see Maurice Cranston, "Burke, Edmund" in *The Encyclopedia of Philosophy*, ed. by Paul Edwards (New York: Macmillan Publishing Company, November 1973), v. 1, 430.

from Reflections on the Revolution in France (1790)

It may not be unnecessary to inform the reader that the following reflections had their origin in a correspondence between the author and a very young gentleman at Paris, who did him the honor of desiring his opinion upon the important transactions which then, and ever since, have so much occupied the attention of all men....

Dear Sir

You are pleased to call again, and with some earnestness, for my thoughts on the late proceedings in France....

I flatter myself that I love a manly, moral, regulated liberty as well as any gentleman...; and perhaps I have given as good proofs of my attachment to that cause in the whole course of my public conduct.[1]... But I cannot stand forward and give praise or blame to anything which relates to human actions, and human concerns, on a simple view of the object, as it stands stripped of every relation, in all the nakedness and solitude of metaphysical abstraction. Circumstances (which with some gentlemen pass for nothing) give in reality to every political principle its distinguishing color and discriminating effect. The circumstances are what render every civil and political scheme beneficial or noxious[2] to mankind. Abstractedly speaking, government, as well as liberty, is good; yet could I, in common sense, ten years ago, have felicitated[3] France on her enjoyment of a government (for she then had a government) without inquiry what the nature of that government was, or how it was administered? Can I now congratulate the same nation upon its freedom? Is it because liberty in the abstract may be classed amongst the blessings of mankind, that I am seriously to felicitate a madman, who has escaped from the protecting restraint and wholesome darkness of his cell, on his restoration to the enjoyment of light and liberty? Am I to congratulate a highwayman and murderer who has broke prison upon the recovery of his natural rights?...

When I see the spirit of liberty in action, I see a strong principle at work; and this, for a while, is all I can possibly know of it. The wild gas, the fixed air, is plainly broke loose; but we ought to suspend our judgment until the first effervescence is a little subsided, till the liquor is cleared, and until we see something deeper than the agitation of a troubled and frothy surface. I must be tolerably sure, before I venture publicly to congratulate men upon a blessing, that they have really received one. Flattery corrupts both the receiver and the giver, and adulation is not of more service to the people than to kings. I should, therefore, suspend my congratulations on the new liberty of France until I was informed how it had been combined with government, with public force, with the discipline and obedience of armies, with the collection of an effective and well-distributed revenue, with morality and religion, with the solidity of property, with peace and order, with civil and social manners. All these (in their way) are good things, too, and without them liberty is not a benefit whilst it lasts, and is not likely to continue long. The effect of liberty to individuals is that they may do what they please; we ought to see what it will please them to do, before we risk congratulations which may be soon turned into complaints. Prudence would dictate this in the case of separate, insulated, private men, but liberty, when men act in bodies, is power. Considerate people, before they declare themselves, will observe the use which is made of power....

... [Doctor Richard Price, a non-conforming minister of eminence][4] tells the Revolution Society in this political sermon that his Majesty "is almost the only lawful king in the world because the only one who owes his crown to the choice of his people."... This doctrine, as applied to the prince now on the British throne, either is nonsense and therefore neither true nor false, or it affirms a most unfounded, dangerous, illegal, and unconstitutional position. According to this spiritual doctor of politics, if his Majesty does not owe his crown to the choice of his people, he is no lawful king. Now nothing can be more untrue than that the crown of this kingdom is so held by his Majesty....

... At some time or other, to be sure, all the beginners of dynasties were chosen by those who called them to govern. There is ground enough for the opinion that all the kingdoms of Europe were, at a remote period, elective, with more or fewer limitations in the objects of choice. But whatever kings might have been here or elsewhere a thousand years ago, or in whatever manner the ruling dynasties of England or France may have begun, the king of Great Britain is, at this day, king by a fixed rule of succession according to the laws of his country; and whilst the legal conditions of the compact of sovereignty are performed by him[1] (as they are performed), he holds his crown in contempt of the choice of the Revolution Society,[2] who have not a single vote for a king amongst them, either individually or collectively....

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[1] *in the whole ... conduct* Burke had been a strong public advocate for the right of the American colonies to declare independence from Britain, and a strong public critic of what he saw as a tendency towards tyranny by the British in India.

[2] *noxious* Harmful.

[3] *felicitated* Congratulated.

[4] *Doctor ... eminence* Price (1723–91), a political philosopher, was also a dissenting clergyman.

Whatever may be the success of evasion in explaining away the gross error of fact, which supposes that his Majesty (though he holds it in concurrence with the wishes) owes his crown to the choice of his people, yet nothing can evade their full explicit declaration concerning the principle of a right in the people to choose; ... the political divine proceeds dogmatically to assert[3] that, by the principles of the Revolution, the people of England have acquired three fundamental rights, ... namely, that we have acquired a right:

(1) to choose our own governors.
(2) to cashier[4] them for misconduct.
(3) to frame a government for ourselves.

This new and hitherto unheard-of bill of rights, though made in the name of the whole people, belongs to those gentlemen and their faction only. The body of the people of England have no share in it. They utterly disclaim it. They will resist the practical assertion of it with their lives and fortunes. They are bound to do so by the laws of their country made at the time of that very Revolution which is appealed to in favor of the fictitious rights claimed by the Society which abuses its name.

... It is now sixteen or seventeen years since I saw the queen of France, then the dauphiness,[5] at Versailles, and surely never lighted on this orb, which she hardly seemed to touch, a more delightful vision. I saw her just above the horizon, decorating and cheering the elevated sphere she just began to move in—glittering like the morning star, full of life and splendor and joy. Oh! what a revolution! and what a heart must I have to contemplate without emotion that elevation and that fall! Little did I dream when she added titles of veneration to those of enthusiastic, distant, respectful love, that she should ever be obliged to carry the sharp antidote against disgrace concealed in that bosom; little did I dream that I should have lived to see such disasters fallen upon her in a nation of gallant men, in a nation of men of honor and of cavaliers. I thought ten thousand swords must have leaped from their scabbards to avenge even a look that threatened her with insult. But the age of chivalry is gone. That of sophisters,[6] economists, and calculators has succeeded; and the glory of Europe is extinguished forever. Never, never more shall we behold that generous loyalty to rank and sex, that proud submission, that dignified obedience, that subordination of the heart which kept alive, even in servitude itself, the spirit of an exalted freedom. The unbought grace of life, the cheap defense of nations, the nurse of manly sentiment and heroic enterprise, is gone! It is gone, that sensibility of principle, that chastity of honor which felt a stain like a wound, which inspired courage whilst it mitigated ferocity, which ennobled whatever it touched, and under which vice itself lost half its evil by losing all its grossness.

This mixed system of opinion and sentiment had its origin in the ancient chivalry; and the principle, though varied in its appearance by the varying state of human affairs, subsisted and influenced through a long succession of generations even to the time we live in. If it should ever be totally extinguished, the loss I fear will be great. It is this which has given its character to modern Europe. It is this which has distinguished it under all its forms of government, and distinguished it to its advantage, from the states of Asia and possibly from those states which flourished in the most brilliant periods of the antique world. It was this which, without confounding ranks, had produced a noble equality and handed it down through all the gradations of social life. It was this opinion which mitigated kings into companions and raised private men to be fellows with kings. Without force or opposition, it subdued the fierceness of pride and power, it obliged sovereigns to submit to the soft collar of social esteem, compelled stern authority to submit to elegance, and gave a domination, vanquisher of laws, to be subdued by manners.

But now all is to be changed. All the pleasing illusions which made power gentle and obedience liberal, which harmonized the different shades of life, and which, by a bland assimilation, incorporated into politics the sentiments which beautify and soften private society, are to be dissolved by this new conquering empire of light and reason. All the decent drapery of life is to be rudely torn off. All the super-added ideas, furnished from the wardrobe of a moral imagination, which the heart owns and the understanding ratifies as necessary to cover the defects of our naked, shivering nature, and to raise it to dignity in our own estimation, are to be exploded as a ridiculous, absurd, and antiquated fashion.

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[1] *whilst the legal ... by him* While he acts according to the legal agreements regarding the sovereign.

[2] *Revolution Society* A British organization offering a forum for views in favor of the French Revolution.

[3] *the political divine ... to assert* [Burke's note] *Discourse on the Love of Our Country*, by Dr. Price.

[4] *cashier* Dismiss.

[5] *dauphiness* Marie Antoinette, then wife of the dauphin (i.e., the crown prince, heir to the throne of France).

[6] *sophisters* Those skilled at misleading by devious argument.

On this scheme of things, a king is but a man, a queen is but a woman; a woman is but an animal, and an animal not of the highest order. All homage paid to the sex in general as such, and without distinct views, is to be regarded as romance and folly. Regicide,[1] and parricide,[2] and sacrilege are but fictions of superstition, corrupting jurisprudence by destroying its simplicity. The murder of a king, or a queen, or a bishop, or a father are only common homicide; and if the people are by any chance or in any way gainers by it, a sort of homicide much the most pardonable, and into which we ought not to make too severe a scrutiny.

On the scheme of this barbarous philosophy, which is the offspring of cold hearts and muddy understandings, and which is as void of solid wisdom as it is destitute of all taste and elegance, laws are to be supported only by their own terrors and by the concern which each individual may find in them from his own private speculations or can spare to them from his own private interests. In the groves of their academy, at the end of every vista, you see nothing but the gallows. Nothing is left which engages the affections on the part of the commonwealth.... To make us love our country, our country ought to be lovely.

But power, of some kind or other, will survive the shock in which manners and opinions perish; and it will find other and worse means for its support.... When the old feudal and chivalrous spirit of fealty,[3] which, by freeing kings from fear, freed both kings and subjects from the precautions of tyranny, shall be extinct in the minds of men, plots and assassinations will be anticipated by preventive murder and preventive confiscation.... Kings will be tyrants from policy when subjects are rebels from principle.

When ancient opinions and rules of life are taken away, the loss cannot possibly be estimated. From that moment we have no compass to govern us; nor can we know distinctly to what port we steer. Europe, undoubtedly, taken in a mass, was in a flourishing condition the day on which your revolution was completed. How much of that prosperous state was owing to the spirit of our old manners and opinions is not easy to say; but as such causes cannot be indifferent in their operation, we must presume that on the whole their operation was beneficial.

We are but too apt to consider things in the state in which we find them, without sufficiently adverting[4] to the causes by which they have been produced and possibly may be upheld. Nothing is more certain than that our manners, our civilization, and all the good things which are connected with manners and with civilization have, in this European world of ours, depended for ages upon two principles and were, indeed, the result of both combined: I mean the spirit of a gentleman and the spirit of religion....

When the people have emptied themselves of all the lust of selfish will, which without religion it is utterly impossible they ever should, when they are conscious that they exercise, and exercise perhaps in a higher link of the order of delegation, the power, which to be legitimate must be according to that eternal, immutable law in which will and reason are the same, they will be more careful how they place power in base and incapable hands. In their nomination to office, they will not appoint to the exercise of authority as to a pitiful job, but as to a holy function, not according to their sordid, selfish interest, nor to their wanton caprice,[5] nor to their arbitrary will, but they will confer that power (which any man may well tremble to give or to receive) on those only in whom they may discern that predominant proportion of active virtue and wisdom, taken together and fitted to the charge, such as in the great and inevitable mixed mass of human imperfections and infirmities is to be found....

To avoid, therefore, the evils of inconstancy and versatility,[6] ten thousand times worse than those of obstinacy and the blindest prejudice, we have consecrated[7] the state, that no man should approach to look into its defects or corruptions but with due caution, that he should never dream of beginning its reformation by its subversion, that he should approach to the faults of the state as to the wounds of a father, with pious awe and trembling solicitude. By this wise prejudice we are taught to look with horror on those children of their country who are prompt rashly to hack that aged parent in pieces and put him into the kettle of magicians, in hopes that by their poisonous weeds and wild incantations they may regenerate the paternal constitution and renovate their father's life.

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[1] *Regicide* Murder of a king.

[2] *parricide* Murder of one's father.

[3] *fealty* Loyalty, allegiance, sometimes by oath.

[4] *adverting* Referring.

[5] *wanton caprice* Random sudden impulsive decision.

[6] *inconstancy and versatility* Liability for frequent, rapid, or unpredictable change.

[7] *consecrated* Sanctified, made worthy of veneration.

Society is indeed a contract. Subordinate contracts for objects of mere occasional interest may be dissolved at pleasure—but the state ought not to be considered as nothing better than a partnership agreement in a trade of pepper and coffee, calico, or tobacco, or some other such low concern, to be taken up for a little temporary interest, and to be dissolved by the fancy of the parties. It is to be looked on with other reverence, because it is not a partnership in things subservient only to the gross animal existence of a temporary and perishable nature. It is a partnership in all science; a partnership in all art;[1] a partnership in every virtue and in all perfection. As the ends of such a partnership cannot be obtained in many generations, it becomes a partnership not only between those who are living, but between those who are living, those who are dead, and those who are to be born. Each contract of each particular state is but a clause in the great primeval[2] contract of eternal society, linking the lower with the higher natures, connecting the visible and invisible world, according to a fixed compact sanctioned by the inviolable oath which holds all physical and all moral natures, each in their appointed place. This law is not subject to the will of those who by an obligation above them, and infinitely superior, are bound to submit their will to that law....

But am I so unreasonable as to see nothing at all that deserves commendation in the indefatigable[3] labors of this Assembly?[4] I do not deny that, among an infinite number of acts of violence and folly, some good may have been done. They who destroy everything certainly will remove some grievance. They who make everything new have a chance that they may establish something beneficial. To give them credit for what they have done in virtue of the authority they have usurped, or which can excuse them in the crimes by which that authority has been acquired, it must appear that the same things could not have been accomplished without producing such a revolution. Most assuredly they might, because almost every one of the regulations made by them which is not very equivocal was either in the cession of the king, voluntarily made at the meeting of the states, or in the concurrent instructions to the orders. Some usages have been abolished on just grounds, but they were such that if they had stood as they were to all eternity, they would little detract from the happiness and prosperity of any state. The improvements of the National Assembly are superficial, their errors fundamental.

Whatever they are, I wish my countrymen rather to recommend to our neighbors the example of the British constitution[5] than to take models from them for the improvement of our own. In the former, they have got an invaluable treasure. They are not, I think, without some causes of apprehension and complaint, but these they do not owe to their constitution but to their own conduct. I think our happy situation owing to our constitution, but owing to the whole of it, and not to any part singly, owing in a great measure to what we have left standing in our several reviews and reformations as well as to what we have altered or super-added. Our people will find employment enough for a truly patriotic, free, and independent spirit in guarding what they possess from violation. I would not exclude alteration neither, but even when I changed, it should be to preserve.

[...]

I have told you candidly my sentiments. I think they are not likely to alter yours. I do not know that they ought. You are young; you cannot guide but must follow the fortune of your country. But hereafter they may be of some use to you, in some future form which your commonwealth may take. In the present it can hardly remain; but before its final settlement it may be obliged to pass, as one of our poets says, "through great varieties of untried being," and in all its transmigrations to be purified by fire and blood.

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[1] *art* Creation by human action, rather than by nature.

[2] *primeval* Ancient or original.

[3] *indefatigable* Tireless.

[4] *Assembly* The National Assembly, a legislature established by the French Revolution in June 1789 to give France a constitution. On 9 July 1789 it reconstituted itself as the National Constituent Assembly, which abolished feudalism and established the *Declaration of the Rights of Man*.

[5] *the British constitution* The English constitution is not one single document, like the US Constitution, for example. Rather, it is composed of a series of documents which include Magna Carta, issued in 1215, and the 1688 Declaration of Rights. The structure of the government and the rights of the subjects of Great Britain were and are contingent upon a shared cultural understanding shaped by these documents and English common law. This explains why Burke refers to the English constitution with a lowercase "c"; there is not a specific document that bears the title of Constitution.

I have little to recommend my opinions but long observation and much impartiality. They come from one who has been no tool of power, no flatterer of greatness; and who in his last acts does not wish to belie the tenor[1] of his life. They come from one almost the whole of whose public exertion has been a struggle for the liberty of others; from one in whose breast no anger, durable or vehement, has ever been kindled but by what he considered as tyranny....

◆ ◆ ◆ ◆ ◆

from On "Geographical Morality"

from Speech on the Impeachment of Warren Hastings[2] (15–19 February, 1788)

My Lords, we contend that Mr. Hastings, as a British governor, ought to govern on British principles.... We call for that spirit of equity, that spirit of justice, that spirit of safety, that spirit of protection, that spirit of lenity,[3] which ought to characterize every British subject in power; and on these, and these principles only, he will be tried.

But he has told your lordships, in his defense, that actions in Asia do not bear the same moral qualities which the same actions would bear in Europe.... And having stated at large what he means by saying that the same actions have not the same qualities in Asia and in Europe, ... [he and others] have formed a plan of geographical morality, by which the duties of men in public and in private situations are not to be governed by their relations to the great governor of the universe, or by their relations to men, but by climates, degrees of longitude and latitude, parallels not of life but of latitudes; as if, when you have crossed the equinoctial, all the virtues die, as they say some insects die when they cross the line; as if there were a kind of baptism, like that practiced by seamen, by which they unbaptize themselves of all that they learned in Europe, and commence a new order and system of things.

This geographical morality we do protest against.... We think it necessary, in justification of ourselves, to declare that the laws of morality are the same everywhere, and that there is no action which would pass for an act of extortion, of peculation,[4] of bribery, and of oppression in England, that is not an act of extortion, of peculation, of bribery, and oppression in Europe, Asia, Africa, and all the world over....

Mr. Hastings comes before your lordships not as a British governor answering to a British tribunal, but as a subahdar....[5] He says, "I had an arbitrary power to exercise; I exercised it. Slaves I found the people; slaves they are. They are so by their constitution; and if they are, I did not make it for them. I was unfortunately bound to exercise this arbitrary power, and accordingly I did exercise it. It was disagreeable to me, but I did exercise it, and no other power can be exercised in that country."

[…]

Think of an English governor tried before you as a British subject, and yet declaring that he governed upon the principles of arbitrary power! This plea is, that he did govern there upon arbitrary and despotic, and, as he supposes, Oriental principles.

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[1] *belie the tenor* Disguise the nature.

[2] *Warren Hastings* Hastings had been appointed Governor of Bengal in 1772, and Governor General of Bengal (with authority over Madras and Bombay) the following year, with the passage of the East India Company Act. He resigned in 1785 and impeachment proceedings against him began in 1786. Hastings was finally acquitted of all charges in 1794.

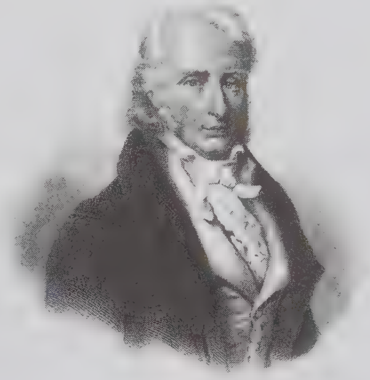
[3] *lenity* Mildness, mercy.

[4] *peculation* Appropriation of public funds.

[5] *subahdar* Governor of an Indian province.

BENJAMIN CONSTANT
(1767 – 1830)

HENRI BENJAMIN CONSTANT DE REBECQUE (OFTEN called simply Benjamin Constant[1]) was a Swiss-French man-of-many-trades: a successful novelist, a publisher, a politician, and a political writer. Sometimes overshadowed by the fame of his contemporary, the French political commentator Tocqueville, Constant nevertheless had considerable influence on the political future of France and on political thought in general. He was a champion of personal freedom; Sir Isaiah Berlin, the eminent twentieth-century philosopher, called him "the most eloquent of all defenders of freedom and privacy," and credited him with the invention of the idea of "negative liberty"—the protection of individual choices and preferences (*Two Concepts of Liberty*, 1968).



Constant's ancestors were Huguenots, French Protestants forced into exile in Switzerland. He studied briefly at the University of Oxford, but more substantially at the universities in Erlangen, Germany, and Edinburgh. This last university was the center of Scottish Enlightenment thought—Adam Smith was there at the time—and those intellectual currents certainly influenced Constant's future views. In France he obtained the position of chamberlain to a duke, a position that must have been rather uncomfortable to someone with Constant's republican leanings; he sided with the revolutionaries, and left this job in 1794. Divorcing his wife (a court-connected woman 27 years his senior) he began a relationship with Germaine de Staël, the well-known novelist; during the relationship with her, he married twice more. It is thought to have been her influence that crystallized his political thinking and turned him towards a career as political commentator.

In 1799, Constant became a tribune under Napoleon, but a couple of years later, as a leader of the opposition to the Bonapartist regime, he was removed from this position and shortly thereafter followed Madame de Staël into exile in Switzerland and Germany. While away he published many political pamphlets, his major work on religion, and *Adolphe*, a well received semi-autobiographical work (based largely on his relationship with de Staël), now sometimes counted as the first psychological novel. After an exile of twelve years, Constant returned to France, where he continued his phampleteering, and served as an active member of the chamber of deputies. He was appointed president of the council of state in 1830, but died the same year.

Among political theorists, Constant is best known for his distinction between the "liberties of the ancients" and "the liberties of the moderns." The liberties of the ancients are democratic liberties, modeled on the participatory democracy of the classical city-states and revived by Jean-Jacques Rousseau. They are "positive liberties," permitting citizens to influence the path of their community through collective deliberation and voting. However, these liberties were only possible in small communities where decision-makers enjoyed significant leisure (made possible by slave labor); they could no longer be effectively exercised in large, anonymous communities. Moreover, as Constant wrote, the liberties of the ancients were compatible with "the complete subjection of the individual to the authority of the community."

While the ancients (or, more precisely, the minority in Greek and Roman society comprising males who had been accorded citizen status) had considerably more control over public affairs, they enjoyed fewer opportunities for individual choice. In Constant's view, the liberties of the moderns were more appropriate to larger societies dominated by commerce, where individuals had little time to participate in public life. These liberties restrained the state, guaranteeing freedom from interference, and included the rule of law. Though Constant eloquently defended modern liberty, he also appreciated the merits of ancient liberty and attempted to combine these in a form of representative government. Along these lines, Constant made important contributions towards the theory and practice of constitutional monarchy with legal restraints to protect liberty.

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[1] But beware of ambiguity: two other historical figures are also sometimes called Benjamin Constant: Benjamin Constant Botelho de Magalhães, Brazillian politician and soldier (1836–91), and the well-known French painter Jean Joseph Benjamin Constant (1805–1902).

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The Liberty of Ancients Compared with that of Moderns (1816)

Gentlemen,

I wish to submit for your attention a few distinctions, still rather new, between two kinds of liberty: these differences have thus far remained unnoticed, or at least insufficiently remarked. The first is the liberty the exercise of which was so dear to the ancient peoples; the second the one the enjoyment of which is especially precious to the modern nations. If I am right, this investigation will prove interesting from two different angles.

Firstly, the confusion of these two kinds of liberty has been amongst us, in the all too famous days of our revolution, the cause of many an evil. France was exhausted by useless experiments, the authors of which, irritated by their poor success, sought to force her to enjoy the good she did not want, and denied her the good which she did want. Secondly, called as we are by our happy revolution (I call it happy, despite its excesses, because I concentrate my attention on its results) to enjoy the benefits of representative government, it is curious and interesting to discover why this form of government, the only one in the shelter of which we could find some freedom and peace today, was totally unknown to the free nations of antiquity.

I know that there are writers who have claimed to distinguish traces of it among some ancient peoples, in the Lacedaemonian republic[1] for example, or amongst our ancestors the Gauls;[2] but they are mistaken.

The Lacedaemonian government was a monastic aristocracy, and in no way a representative government. The power of the kings was limited, but it was limited by the ephors,[3] and not by men invested with a mission similar to that which election confers today on the defenders of our liberties. The ephors, no doubt, though originally created by the kings, were elected by the people. But there were only five of them. Their authority was as much religious as political; they even shared in the administration of government, that is, in the executive power. Thus their prerogative, like that of almost all popular magistrates in the ancient republics, far from being simply a barrier against tyranny became sometimes itself an insufferable tyranny.

The regime of the Gauls, which quite resembled the one that a certain party would like to restore to us, was at the same time theocratic and warlike. The priests enjoyed unlimited power. The military class or nobility had markedly insolent and oppressive privileges; the people had no rights and no safeguards.

In Rome the tribunes had, up to a point, a representative mission. They were the organs of those plebeians whom the oligarchy—which is the same in all ages—had submitted, in overthrowing the kings, to so harsh a slavery. The people, however, exercised a large part of the political rights directly. They met to vote on the laws and to judge the patricians[4] against whom charges had been leveled: thus there were, in Rome, only feeble traces of a representative system.

This system is a discovery of the moderns, and you will see, Gentlemen, that the condition of the human race in antiquity did not allow for the introduction or establishment of an institution of this nature. The ancient peoples could neither feel the need for it, nor appreciate its advantages. Their social organization led them to desire an entirely different freedom from the one which this system grants to us. Tonight's lecture will be devoted to demonstrating this truth to you.

First ask yourselves, Gentlemen, what an Englishman, a Frenchman, and a citizen of the United States of America understand today by the word "liberty." For each of them it is the right to be subjected only to the laws, and to be neither arrested, detained, put to death or maltreated in any way by the arbitrary will of one or more individuals. It is the right of everyone to express their opinion, choose a profession and practice it, to dispose of property, and even to abuse it; to come and go without permission, and without having to account for their motives or undertakings. It is everyone's right to associate with other individuals, either to discuss their interests, or to profess the religion which they and their associates prefer, or even simply to occupy their days or hours in a way which is most compatible with their inclinations or whims. Finally it is everyone's right to exercise some influence on the administration of the government, either by electing all or particular officials, or through representations, petitions, demands to which the authorities are more or less compelled to pay heed. Now compare this liberty with that of the ancients.

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[1] *Lacedaemonian republic* City-state in Ancient Greece, more often known by the name of its city, Sparta.

[2] *the Gauls* Celtic people widespread in France and neighboring regions of Europe during ancient Roman times.

[3] *ephors* Five elected magistrates exercising a supervisory power over the kings of Sparta.

[4] *patricians* The nobility, upper classes.

The latter consisted in exercising collectively, but directly, several parts of the complete sovereignty; in deliberating, in the public square, over war and peace; in forming alliances with foreign governments; in voting laws, in pronouncing judgments; in examining the accounts, the acts, the stewardship of the magistrates; in calling them to appear in front of the assembled people, in accusing, condemning or absolving them. But if this was what the ancients called liberty, they admitted as compatible with this collective freedom the complete subjection of the individual to the authority of the community. You find among them almost none of the enjoyments which we have just seen form part of the liberty of the moderns. All private actions were submitted to a severe surveillance. No importance was given to individual independence, neither in relation to opinions, nor to labor, nor, above all, to religion. The right to choose one's own religious affiliation, a right which we regard as one of the most precious, would have seemed to the ancients a crime and a sacrilege. In the domains which seem to us the most useful, the authority of the social body interposed itself and obstructed the will of individuals. Among the Spartans, Therpandrus could not add a string to his lyre without causing offense to the ephors. In the most domestic of relations the public authority again intervened. The young Lacedaemonian could not visit his new bride freely. In Rome, the censors[1] cast a searching eye over family life. The laws regulated customs, and as customs touch on everything, there was hardly anything that the laws did not regulate.

Thus among the ancients the individual, almost always sovereign in public affairs, was a slave in all his private relations. As a citizen, he decided on peace and war; as a private individual, he was constrained, watched and repressed in all his movements; as a member of the collective body, he interrogated, dismissed, condemned, beggared,[2] exiled, or sentenced to death his magistrates and superiors; as a subject of the collective body he could himself be deprived of his status, stripped of his privileges, banished, put to death, by the discretionary will of the whole to which he belonged. Among the moderns, on the contrary, the individual, independent in his private life, is, even in the freest of states, sovereign only in appearance. His sovereignty is restricted and almost always suspended. If, at fixed and rare intervals, in which he is again surrounded by precautions and obstacles, he exercises this sovereignty, it is always only to renounce it.

I must at this point, Gentlemen, pause for a moment to anticipate an objection which may be addressed to me. There was in antiquity a republic where the enslavement of individual existence to the collective body was not as complete as I have described it. This republic was the most famous of all: you will guess that I am speaking of Athens. I shall return to it later, and in subscribing to the truth of this fact, I shall also indicate its cause. We shall see why, of all the ancient states, Athens was the one which most resembles the modern ones. Everywhere else social jurisdiction was unlimited. The ancients, as Condorcet[3] says, had no notion of individual rights. Men were, so to speak, merely machines, whose gears and cog-wheels were regulated by the law. The same subjection characterized the golden centuries of the Roman republic; the individual was in some way lost in the nation, the citizen in the city. We shall now trace this essential difference between the ancients and ourselves back to its source.

All ancient republics were restricted to a narrow territory. The most populous, the most powerful, the most substantial among them, was not equal in extension to the smallest of modern states. As an inevitable consequence of their narrow territory, the spirit of these republics was bellicose; each people incessantly attacked their neighbors or was attacked by them. Thus driven by necessity against one another, they fought or threatened each other constantly. Those who had no ambition to be conquerors, could still not lay down their weapons, lest they should themselves be conquered. All had to buy their security, their independence, their whole existence at the price of war. This was the constant interest, the almost habitual occupation of the free states of antiquity. Finally, by an equally necessary result of this way of being, all these states had slaves. The mechanical professions and even, among some nations, the industrial ones, were committed to people in chains.

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[1] *censors* Two officials in ancient Rome responsible for taking the public census and supervising public behavior and morals.

[2] *beggared* Made into a beggar, impoverished.

[3] *Condorcet* Marie Jean Antoine Nicolas Caritat, marquis de Condorcet (1743–94), French philosopher, advocate of freedom and equality.

The modern world offers us a completely opposing view. The smallest states of our day are incomparably larger than Sparta or than Rome was over five centuries. Even the division of Europe into several states is, thanks to the progress of enlightenment, more apparent than real. While each people, in the past, formed an isolated family, the born enemy of other families, a mass of human beings now exists, that under different names and under different forms of social organization are essentially homogeneous in their nature. This mass is strong enough to have nothing to fear from barbarian hordes. It is sufficiently civilized to find war a burden. Its uniform tendency is towards peace.

This difference leads to another one. War precedes commerce. War and commerce are only two different means of achieving the same end, that of getting what one wants. Commerce is simply a tribute paid to the strength of the possessor by the aspirant to possession. It is an attempt to conquer, by mutual agreement, what one can no longer hope to obtain through violence. A man who was always the stronger would never conceive the idea of commerce. It is experience, by proving to him that war, that is the use of his strength against the strength of others, exposes him to a variety of obstacles and defeats, that leads him to resort to commerce, that is to a milder and surer means of engaging the interest of others to agree to what suits his own. War is all impulse, commerce, calculation. Hence it follows that an age must come in which commerce replaces war. We have reached this age.

I do not mean that amongst the ancients there were no trading peoples. But these peoples were to some degree an exception to the general rule. The limits of this lecture do not allow me to illustrate all the obstacles which then opposed the progress of commerce; you know them as well as I do; I shall only mention one of them.

Their ignorance of the compass meant that the sailors of antiquity always had to keep close to the coast. To pass through the pillars of Hercules, that is, the straits of Gibraltar,[1] was considered the most daring of enterprises. The Phoenicians and the Carthaginians, the most able of navigators, did not risk it until very late, and their example for long remained without imitators. In Athens, of which we shall talk soon, the interest on maritime enterprises was around 60%, while current interest was only 12%: that was how dangerous the idea of distant navigation seemed.

Moreover, if I could permit myself a digression which would unfortunately prove too long, I would show you, Gentlemen, through the details of the customs, habits, way of trading with others of the trading peoples of antiquity, that their commerce was itself impregnated by the spirit of the age, by the atmosphere of war and hostility which surrounded it. Commerce then was a lucky accident, today it is the normal state of things, the only aim, the universal tendency, the true life of nations. They want repose, and with repose comfort, and as a source of comfort, industry. Every day war becomes a more ineffective means of satisfying their wishes. Its hazards no longer offer to individuals benefits that match the results of peaceful work and regular exchanges.

Among the ancients, a successful war increased both private and public wealth in slaves, tributes and lands shared out. For the moderns, even a successful war costs infallibly more than it is worth. Finally, thanks to commerce, to religion, to the moral and intellectual progress of the human race, there are no longer slaves among the European nations. Free men must exercise all professions, provide for all the needs of society.

It is easy to see, Gentlemen, the inevitable outcome of these differences. Firstly, the size of a country causes a corresponding decrease of the political importance allotted to each individual. The most obscure republican[2] of Sparta or Rome had power. The same is not true of the simple citizen of Britain or of the United States. His personal influence is an imperceptible part of the social will which impresses on the government its direction.

Secondly, the abolition of slavery has deprived the free population of all the leisure which resulted from the fact that slaves took care of most of the work. Without the slave population of Athens, 20,000 Athenians could never have spent every day at the public square in discussions.

Thirdly, commerce does not, like war, leave in men's lives intervals of inactivity. The constant exercise of political rights, the daily discussion of the affairs of the state, disagreements, confabulations, the whole entourage and movement of factions, necessary agitations, the compulsory filling, if I may use the term, of the life of the peoples of antiquity, who, without this resource would have languished under the weight of painful inaction, would only cause trouble and fatigue to modern nations, where each individual, occupied with his speculations, his enterprises, the pleasures he obtains or hopes for, does not wish to be distracted from them other than momentarily, and as little as possible.

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[1] *straits of Gibraltar* Straits separating the Mediterranean Sea from the Atlantic Ocean. In Greek mythology, Hercules, instead of crossing the mountain that was once the titan Atlas, split it in half, connecting the Mediterranean to the Atlantic (hence the pillars of Hercules).

[2] *republican* Citizen of the republic.

Finally, commerce inspires in men a vivid love of individual independence. Commerce supplies their needs, satisfies their desires, without the intervention of the authorities. This intervention is almost always—and I do not know why I say almost—this intervention is indeed always a trouble and an embarrassment. Every time collective power wishes to meddle with private speculations, it harasses the speculators. Every time governments pretend to do our own business, they do it more incompetently and expensively than we would.

I said, Gentlemen, that I would return to Athens, whose example might be opposed to some of my assertions, but which will in fact confirm all of them.

Athens, as I have already pointed out, was of all the Greek republics the most closely engaged in trade, thus it allowed to its citizens an infinitely greater individual liberty than Sparta or Rome. If I could enter into historical details, I would show you that, among the Athenians, commerce had removed several of the differences which distinguished the ancient from the modern peoples. The spirit of the Athenian merchants was similar to that of the merchants of our days. Xenophon[1] tells us that during the Peloponnesian war,[2] they moved their capitals from the continent of Attica to place them on the islands of the archipelago. Commerce had created among them the circulation of money. In Isocrates[3] there are signs that bills of exchange[4] were used. Observe how their customs resemble our own. In their relations with women, you will see, again I cite Xenophon, husbands, satisfied when peace and a decorous friendship reigned in their households, make allowances for the wife who is too vulnerable before the tyranny of nature, close their eyes to the irresistible power of passions, forgive the first weakness and forget the second.[5] In their relations with strangers, we shall see them extending the rights of citizenship to whoever would, by moving among them with his family, establish some trade or industry. Finally, we shall be struck by their excessive love of individual independence. In Sparta, says a philosopher, the citizens quicken their step when they are called by a magistrate; but an Athenian would be desperate if he were thought to be dependent on a magistrate.

However, as several of the other circumstances which determined the character of ancient nations existed in Athens as well; as there was a slave population and the territory was very restricted; we find there too the traces of the liberty proper to the ancients. The people made the laws, examined the behavior of the magistrates, called Pericles[6] to account for his conduct, sentenced to death the generals who had commanded the battle of the Arginusae.[7] Similarly ostracism, that legal arbitrariness, extolled by all the legislators of the age; ostracism, which appears to us, and rightly so, a revolting iniquity, proves that the individual was much more subservient to the supremacy of the social body in Athens, than he is in any of the free states of Europe today.

It follows from what I have just indicated that we can no longer enjoy the liberty of the ancients, which consisted in an active and constant participation in collective power. Our freedom must consist of peaceful enjoyment and private independence. The share which in antiquity everyone held in national sovereignty was by no means an abstract presumption as it is in our own day. The will of each individual had real influence: the exercise of this will was a vivid and repeated pleasure. Consequently the ancients were ready to make many a sacrifice to preserve their political rights and their share in the administration of the state. Everybody, feeling with pride all that his suffrage was worth, found in this awareness of his personal importance a great compensation.

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[1] *Xenophon* Greek historian, c. 400 BCE.

[2] *Peloponnesian war* War between Athens and Sparta, lasting from 431 BCE until 404 BCE, chronicled by Xenophon and Thucydides.

[3] *Isocrates* Greek rhetorician, c. 400 BCE.

[4] *bill of exchange* Written order directing that a specified sum of money be paid to a specified person.

[5] *forgive the first … forget the second* Presumably Constant is talking obliquely about a wife being sexually unfaithful to her husband.

[6] *Pericles* Influential statesman during the "Golden Age" in Athens, c. 400 BCE.

[7] *battle of the Arginusae* Battle of the Peloponnesian war that took place in 406 BCE, in which Athens defeated Sparta. Afterwards, however, bad weather prevented rescue of a large number of Athenian sailors, and for this six commanders (including Pericles' son) were punished with death.

This compensation no longer exists for us today. Lost in the multitude, the individual can almost never perceive the influence he exercises. Never does his will impress itself upon the whole; nothing confirms in his eyes his own cooperation. The exercise of political rights, therefore, offers us but a part of the pleasures that the ancients found in it, while at the same time the progress of civilization, the commercial tendency of the age, the communication amongst peoples, have infinitely multiplied and varied the means of personal happiness.

It follows that we must be far more attached than the ancients to our individual independence. For the ancients when they sacrificed that independence to their political rights, sacrificed less to obtain more; while in making the same sacrifice, we would give more to obtain less.

The aim of the ancients was the sharing of social power among the citizens of the same fatherland: this is what they called liberty. The aim of the moderns is the enjoyment of security in private pleasures; and they call liberty the guarantees accorded by institutions to these pleasures.

I said at the beginning that, through their failure to perceive these differences, otherwise well-intentioned men caused infinite evils during our long and stormy revolution. God forbid that I should reproach them too harshly. Their error itself was excusable. One could not read the beautiful pages of antiquity, one could not recall the actions of its great men, without feeling an indefinable and special emotion, which nothing modern can possibly arouse. The old elements of a nature, one could almost say, earlier than our own, seem to awaken in us in the face of these memories. It is difficult not to regret the time when the faculties of man developed along an already trodden path, but in so wide a career, so strong in their own powers, with such a feeling of energy and dignity. Once we abandon ourselves to this regret, it is impossible not to wish to imitate what we regret. This impression was very deep, especially when we lived under vicious governments, which, without being strong, were repressive in their effects; absurd in their principles; wretched in action; governments which had as their strength arbitrary power; for their purpose the belittling of mankind; and which some individuals still dare to praise to us today, as if we could ever forget that we have been the witnesses and the victims of their obstinacy, of their impotence and of their overthrow. The aim of our reformers was noble and generous. Who among us did not feel his heart beat with hope at the outset of the course which they seemed to open up? And shame, even today, on whoever does not feel the need to declare that acknowledging a few errors committed by our first guides does not mean blighting their memory or disowning the opinions which the friends of mankind have professed throughout the ages.

But those men had derived several of their theories from the works of two philosophers who had themselves failed to recognize the changes brought by two thousand years in the dispositions of mankind. I shall perhaps at some point examine the system of the most illustrious of these philosophers, of Jean-Jacques Rousseau,[1] and I shall show that, by transposing into our modern age an extent of social power, of collective sovereignty, which belonged to other centuries, this sublime genius, animated by the purest love of liberty, has nevertheless furnished deadly pretexts for more than one kind of tyranny. No doubt, in pointing out what I regard as a misunderstanding which it is important to uncover, I shall be careful in my refutation, and respectful in my criticism. I shall certainly refrain from joining myself to the detractors of a great man. When chance has it that I find myself apparently in agreement with them on some one particular point, I suspect myself; and to console myself for appearing for a moment in agreement with them on a single partial question, I need to disown and denounce with all my energies these pretended allies.

Nevertheless, the interests of truth must prevail over considerations which make the glory of a prodigious talent and the authority of an immense reputation so powerful. Moreover, as we shall see, it is not to Rousseau that we must chiefly attribute the error against which I am going to argue; this is to be imputed much more to one of his successors, less eloquent but no less austere and a hundred times more exaggerated. The latter, the Abbé de Mably,[2] can be regarded as the representative of the system which, according to the maxims of ancient liberty, demands that the citizens should be entirely subjected in order for the nation to be sovereign, and that the individual should be enslaved for the people to be free.

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[1] *Jean-Jacques Rousseau* French philosopher (1712–78) who importantly influenced the thought of the Enlightenment and Romanticism, as well as French revolutionary ideology.

[2] *Abbé de Mably* French historian, philosopher, legal thinker, and politician (1709–85); variously taken to be a utopian communist, a source of republican thought, or an enemy of the Enlightenment, religious toleration, and civil liberties.

The Abbé de Mably, like Rousseau and many others, had mistaken, just as the ancients did, the authority of the social body for liberty; and to him any means seemed good if it extended his area of authority over that recalcitrant part of human existence whose independence he deplored. The regret he expresses everywhere in his works is that the law can only cover actions. He would have liked it to cover the most fleeting thoughts and impressions; to pursue man relentlessly, leaving him no refuge in which he might escape from its power. No sooner did he learn, among no matter what people, of some oppressive measure, than he thought he had made a discovery and proposed it as a model. He detested individual liberty like a personal enemy; and whenever in history he came across a nation totally deprived of it, even if it had no political liberty, he could not help admiring it. He went into ecstasies over the Egyptians, because, as he said, among them everything was prescribed by the law, down to relaxations and needs: everything was subjected to the empire of the legislator. Every moment of the day was filled by some duty; love itself was the object of this respected intervention, and it was the law that in turn opened and closed the curtains of the nuptial bed.

Sparta, which combined republican forms with the same enslavement of individuals, aroused in the spirit of that philosopher an even more vivid enthusiasm. That vast monastic barracks to him seemed the ideal of a perfect republic. He had a profound contempt for Athens, and would gladly have said of this nation, the first of Greece, what an academician and great nobleman said of the French Academy: What an appalling despotism! Everyone does what he likes there. I must add that this great nobleman was talking of the Academy as it was thirty years ago.

Montesquieu,[1] who had a less excitable and therefore more observant mind, did not fall into quite the same errors. He was struck by the differences which I have related; but he did not discover their true cause. The Greek politicians who lived under the popular government did not recognize, he argues, any other power but virtue. Politicians of today talk only of manufactures, of commerce, of finances, of wealth and even of luxury. He attributes this difference to the republic and the monarchy. It ought instead to be attributed to the opposed spirit of ancient and modern times. Citizens of republics, subjects of monarchies, all want pleasures, and indeed no-one, in the present condition of societies can help wanting them. The people most attached to their liberty in our own days, before the emancipation of France, was also the most attached to all the pleasures of life; and it valued its liberty especially because it saw in this the guarantee of the pleasures which it cherished. In the past, where there was liberty, people could bear hardship. Now, wherever there is hardship, despotism is necessary for people to resign themselves to it. It would be easier today to make Spartans of an enslaved people than to turn free men into Spartans.

The men who were brought by events to the head of our revolution were, by a necessary consequence of the education they had received, steeped in ancient views which are no longer valid, which the philosophers whom I mentioned above had made fashionable. The metaphysics of Rousseau, in the midst of which flashed the occasional sublime thought and passages of stirring eloquence; the austerity of Mably, his intolerance, his hatred of all human passions, his eagerness to enslave them all, his exaggerated principles on the competence of the law, the difference between what he recommended and what had ever previously existed, his declamations against wealth and even against property; all these things were bound to charm men heated by their recent victory, and who, having won power over the law, were only too keen to extend this power to all things. It was a source of invaluable support that two disinterested writers anathematizing human despotism, should have drawn up the text of the law in axioms. They wished to exercise public power as they had learnt from their guides it had once been exercised in the free states. They believed that everything should give way before collective will, and that all restrictions on individual rights would be amply compensated by participation in social power.

We all know, Gentlemen, what has come of it. Free institutions, resting upon the knowledge of the spirit of the age, could have survived. The restored edifice of the ancients collapsed, notwithstanding many efforts and many heroic acts which call for our admiration. The fact is that social power injured individual independence in every possible war, without destroying the need for it. The nation did not find that an ideal share in an abstract sovereignty was worth the sacrifices required from her. She was vainly assured, on Rousseau's authority, that the laws of liberty are a thousand times more austere than the yoke of tyrants. She had no desire for those austere laws, and believed sometimes that the yoke of tyrants would be preferable to them. Experience has come to undeceive her. She has seen that the arbitrary power of men was even worse than the worst of laws. But laws too must have their limits.

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[1] *Montesquieu* French Enlightenment political thinker (1689–1755), known best for his theory of separation of powers.

If I have succeeded, Gentlemen, in making you share the persuasion which in my opinion these facts must produce, you will acknowledge with me the truth of the following principles.

Individual independence is the first need of the moderns: consequently one must never require from them any sacrifices to establish political liberty.

It follows that none of the numerous and too highly praised institutions which in the ancient republics hindered individual liberty is any longer admissible in the modern times.

You may, in the first place, think, Gentlemen, that it is superfluous to establish this truth. Several governments of our days do not seem in the least inclined to imitate the republics of antiquity. However, little as they may like republican institutions, there are certain republican usages for which they feel a certain affection. It is disturbing that they should be precisely those which allow them to banish, to exile, or to despoil. I remember that in 1802, they slipped into the law on special tribunals an article which introduced into France Greek ostracism;[1] and God knows how many eloquent speakers, in order to have this article approved, talked to us about the freedom of Athens and all the sacrifices that individuals must make to preserve this freedom! Similarly, in much more recent times, when fearful authorities attempted, with a timid hand, to rig the elections, a journal which can hardly be suspected of republicanism proposed to revive Roman censorship to eliminate all dangerous candidates.

I do not think therefore that I am engaging in a useless discussion if, to support my assertion, I say a few words about these two much vaunted institutions.

Ostracism in Athens rested upon the assumption that society had complete authority over its members. On this assumption it could be justified; and in a small state, where the influence of a single individual, strong in his credit, his clients, his glory, often balanced the power of the mass, ostracism may appear useful. But amongst us individuals have rights which society must respect, and individual interests are, as I have already observed, so lost in a multitude of equal or superior influences, that any oppression motivated by the need to diminish this influence is useless and consequently unjust. No-one has the right to exile a citizen, if he is not condemned by a regular tribunal, according to a formal law which attaches the penalty of exile to the action of which he is guilty. No-one has the right to tear the citizen from his country, the owner away from his possessions, the merchant away from his trade, the husband from his wife, the father from his children, the writer from his studious meditations, the old man from his accustomed way of life.

All political exile is a political abuse. All exile pronounced by an assembly for alleged reasons of public safety is a crime which the assembly itself commits against public safety, which resides only in respect for the laws, in the observance of forms, and in the maintenance of safeguards.

Roman censorship implied, like ostracism, a discretionary power. In a republic where all the citizens, kept by poverty to an extremely simple moral code, lived in the same town, exercised no profession which might distract their attention from the affairs of the state, and thus constantly found themselves the spectators and judges of the usage of public power, censorship could on the one hand have greater influence: while on the other, the arbitrary power of the censors was restrained by a kind of moral surveillance exercised over them. But as soon as the size of the republic, the complexity of social relations and the refinements of civilization deprived this institution of what at the same time served as its basis and its limit, censorship degenerated even in Rome. It was not censorship which had created good morals; it was the simplicity of those morals which constituted the power and efficacy of censorship.

In France, an institution as arbitrary as censorship would be at once ineffective and intolerable. In the present conditions of society, morals are formed by subtle, fluctuating, elusive nuances, which would be distorted in a thousand ways if one attempted to define them more precisely. Public opinion alone can reach them; public opinion alone can judge them, because it is of the same nature. It would rebel against any positive authority which wanted to give it greater precision. If the government of a modern people wanted, like the censors in Rome, to censure a citizen arbitrarily, the entire nation would protest against this arrest by refusing to ratify the decisions of the authority.

What I have just said of the revival of censorship in modern times applies also to many other aspects of social organization, in relation to which antiquity is cited even more frequently and with greater emphasis. As for example, education; what do we not hear of the need to allow the government to take possession of new generations to shape them to its pleasure, and how many erudite quotations are employed to support this theory! The Persians, the Egyptians, Gaul, Greece and Italy are one after another set before us. Yet, Gentlemen, we are neither Persians subjected to a despot, nor Egyptians subjugated by priests, nor Gauls who can be sacrificed by their druids, nor, finally, Greeks or Romans, whose share in social authority consoled them for their private enslavement. We are modern men, who wish each to enjoy our own rights, each to develop our own faculties as we like best, without harming anyone; to watch over the development of these faculties in the children whom nature entrusts to our affection, the more enlightened as it is more vivid; and needing the authorities only to give us the general means of instruction which they can supply, as travelers accept from them the main roads without being told by them which route to take.

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[1] *ostracism* Practice in Ancient Greece of temporarily banishing, by popular vote, someone thought to be a threat to the state, or a political troublemaker.

Religion is also exposed to these memories of bygone ages. Some brave defenders of the unity of doctrine cite the laws of the ancients against foreign gods, and sustain the rights of the Catholic church by the example of the Athenians, who killed Socrates for having undermined polytheism,[1] and that of Augustus, who wanted the people to remain faithful to the cult of their fathers; with the result, shortly afterwards, that the first Christians were delivered to the lions. Let us mistrust, Gentlemen, this admiration for certain ancient memories. Since we live in modern times, I want a liberty suited to modern times; and since we live under monarchies, I humbly beg these monarchies not to borrow from the ancient republics the means to oppress us.

Individual liberty, I repeat, is the true modern liberty. Political liberty is its guarantee, consequently political liberty is indispensable. But to ask the peoples of our day to sacrifice, like those of the past, the whole of their individual liberty to political liberty, is the surest means of detaching them from the former and, once this result has been achieved, it would be only too easy to deprive them of the latter.

As you see, Gentlemen, my observations do not in the least tend to diminish the value of political liberty. I do not draw from the evidence I have put before your eyes the same conclusions that some others have. From the fact that the ancients were free, and that we cannot any longer be free like them, they conclude that we are destined to be slaves. They would like to reconstitute the new social state with a small number of elements which, they say, are alone appropriate to the situation of the world today. These elements are prejudices to frighten men, egoism to corrupt them, frivolity to stupefy them, gross pleasures to degrade them, despotism to lead them; and, indispensably, constructive knowledge and exact sciences to serve despotism the more adroitly. It would be odd indeed if this were the outcome of forty centuries during which mankind has acquired greater moral and physical means: I cannot believe it. I derive from the differences which distinguish us from antiquity totally different conclusions. It is not security which we must weaken; it is enjoyment which we must extend. It is not political liberty which I wish to renounce; it is civil liberty which I claim, along with other forms of political liberty. Governments, no more than they did before, have the right to arrogate to themselves an illegitimate power.

But the governments which emanate from a legitimate source have even less right than before to exercise an arbitrary supremacy over individuals. We still possess today the rights we have always had, those eternal rights to assent to the laws, to deliberate on our interests, to be an integral part of the social body of which we are members. But governments have new duties; the progress of civilization, the changes brought by the centuries require from the authorities greater respect for customs, for affections, for the independence of individuals. They must handle all these issues with a lighter and more prudent hand.

This reserve on the part of authority, which is one of its strictest duties, equally represents its well-conceived interest; since, if the liberty that suits the moderns is different from that which suited the ancients, the despotism which was possible amongst the ancients is no longer possible amongst the moderns. Because we are often less concerned with political liberty than they could be, and in ordinary circumstances less passionate about it, it may follow that we neglect, sometimes too much and always wrongly, the guarantees which this assures us. But at the same time, as we are much more preoccupied with individual liberty than the ancients, we shall defend it, if it is attacked, with much more skill and persistence; and we have means to defend it which the ancients did not.

Commerce makes the action of arbitrary power over our existence more oppressive than in the past, because, as our speculations are more varied, arbitrary power must multiply itself to reach them. But commerce also makes the action of arbitrary power easier to elude, because it changes the nature of property, which becomes, in virtue of this change, almost impossible to seize.

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[1] *who killed Socrates ... polytheism* A jury of 500 Athenian citizens condemned Socrates to death for corrupting the youth and worshipping false gods (a reference to his personal spirit or "daimon"). Plato chronicles the trial and its aftermath in his dialogues the *Apology*, *Crito*, and *Phaedo*, as well as in the *Euthyphro*.

Commerce confers a new quality on property, circulation. Without circulation, property is merely a usufruct;[1] political authority can always affect usufruct, because it can prevent its enjoyment; but circulation creates an invisible and invincible obstacle to the actions of social power.

The effects of commerce extend even further: not only does it emancipate individuals, but, by creating credit, it places authority itself in a position of dependence. Money, says a French writer, "is the most dangerous weapon of despotism; yet it is at the same time its most powerful restraint; credit is subject to opinion; force is useless; money hides itself or flees; all the operations of the state are suspended." Credit did not have the same influence amongst the ancients; their governments were stronger than individuals, while in our time individuals are stronger than the political powers. Wealth is a power which is more readily available in all circumstances, more readily applicable to all interests, and consequently more real and better obeyed. Power threatens; wealth rewards: one eludes power by deceiving it; to obtain the favors of wealth one must serve it: the latter is therefore bound to win.

As a result, individual existence is less absorbed in political existence. Individuals carry their treasures far away; they take with them all the enjoyments of private life. Commerce has brought nations closer, it has given them customs and habits which are almost identical; the heads of states may be enemies: the peoples are compatriots. Let power therefore resign itself: we must have liberty and we shall have it. But since the liberty we need is different from that of the ancients, it needs a different organization from the one which would suit ancient liberty. In the latter, the more time and energy man dedicated to the exercise of his political rights, the freer he thought himself; on the other hand, in the kind of liberty of which we are capable, the more the exercise of political rights leaves us the time for our private interests, the more precious will liberty be to us.

Hence, Sirs, the need for the representative system. The representative system is nothing but an organization by means of which a nation charges a few individuals to do what it cannot or does not wish to do herself. Poor men look after their own business; rich men hire stewards. This is the history of ancient and modern nations. The representative system is a proxy given to a certain number of men by the mass of the people who wish their interests to be defended and who nevertheless do not have the time to defend them themselves. But, unless they are idiots, rich men who employ stewards keep a close watch on whether these stewards are doing their duty, lest they should prove negligent, corruptible, or incapable; and, in order to judge the management of these proxies, the landowners, if they are prudent, keep themselves well-informed about affairs, the management of which they entrust to them. Similarly, the people who, in order to enjoy the liberty which suits them, resort to the representative system, must exercise an active and constant surveillance over their representatives, and reserve for themselves, at times which should not be separated by too lengthy intervals, the right to discard them if they betray their trust, and to revoke the powers which they might have abused.

For from the fact that modern liberty differs from ancient liberty, it follows that it is also threatened by a different sort of danger. The danger of ancient liberty was that men, exclusively concerned with securing their share of social power, might attach too little value to individual rights and enjoyments.

The danger of modern liberty is that, absorbed in the enjoyment of our private independence, and in the pursuit of our particular interests, we should surrender our right to share in political power too easily. The holders of authority are only too anxious to encourage us to do so. They are so ready to spare us all sort of troubles, except those of obeying and paying! They will say to us: what, in the end, is the aim of your efforts, the motive of your labors, the object of all your hopes? Is it not happiness? Well, leave this happiness to us and we shall give it to you. No, Sirs, we must not leave it to them. No matter how touching such a tender commitment may be, let us ask the authorities to keep within their limits. Let them confine themselves to being just. We shall assume the responsibility of being happy for ourselves.

Could we be made happy by diversions, if these diversions were without guarantees? And where should we find guarantees, without political liberty? To renounce it, Gentlemen, would be a folly like that of a man who, because he only lives on the first floor, does not care if the house itself is built on sand.

Moreover, Gentlemen, is it so evident that happiness, of whatever kind, is the only aim of mankind? If it were so, our course would be narrow indeed, and our destination far from elevated. There is not one single one of us who, if he wished to abase himself, restrain his moral faculties, lower his desires, abjure activity, glory, deep and generous emotions, could not demean himself and be happy. No, Sirs, I bear witness to the better part of our nature, that noble disquiet which pursues and torments us, that desire to broaden our knowledge and develop our faculties. It is not to happiness alone, it is to self-development that our destiny calls us; and political liberty is the most powerful, the most effective means of self-development that heaven has given us.

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[1] *usufruct* Legal right to use another's property.

Political liberty, by submitting to all the citizens, without exception, the care and assessment of their most sacred interests, enlarges their spirit, ennobles their thoughts, and establishes among them a kind of intellectual equality which forms the glory and power of a people.

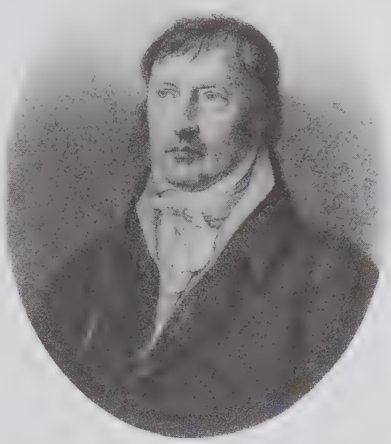
Thus, see how a nation grows with the first institution which restores to her the regular exercise of political liberty. See our countrymen of all classes, of all professions, emerge from the sphere of their usual labors and private industry, find themselves suddenly at the level of important functions which the constitutions confers upon them, choose with discernment, resist with energy—, brave threats, nobly withstand seduction. See a pure, deep and sincere patriotism triumph in our towns, revive even our smallest villages, permeate our workshops, enliven our countryside, penetrate the just and honest spirits of the useful farmer and the industrious tradesman with a sense of our rights and the need for safeguards; they, learned in the history of the evils they have suffered, and no less enlightened as to the remedies which these evils demand, take in with a glance the whole of France and, bestowing a national gratitude, repay with their suffrage, after thirty years, the fidelity to principles embodied in the most illustrious of the defenders of liberty.

Therefore, Sirs, far from renouncing either of the two sorts of freedom which I have described to you, it is necessary, as I have shown, to learn to combine the two together. Institutions, says the famous author of the history of the republics in the Middle Ages, must accomplish the destiny of the human race; they can best achieve their aim if they elevate the largest possible number of citizens to the highest moral position.

The work of the legislator is not complete when he has simply brought peace to the people. Even when the people are satisfied, there is much left to do. Institutions must achieve the moral education of the citizens. By respecting their individual rights, securing their independence, refraining from troubling their work, they must nevertheless consecrate their influence over public affairs, call them to contribute by their votes to the exercise of power, grant them a right of control and supervision by expressing their opinions; and, by forming them through practice for these elevated functions, give them both the desire and the right to discharge these.

GEORG WILHELM FRIEDRICH HEGEL
(1770 – 1831)

Georg Wilhelm Friedrich Hegel was born in Stuttgart, Germany in 1770. Celebrated in his time, he won professorships in Heidelberg (1816) and Berlin (1818). He is remembered for his dialectical method, his philosophy of history, and his distinctive place in the German Idealist tradition. In political philosophy, he is known as a critic of contract theory. Responding to the perceived emptiness of Kant's ethics and to Romanticism's individualistic attack on convention, Hegel argued that freedom requires assuming customary roles and duties. There is debate over the implications of his views, some reading him as a proto-totalitarian, others as a liberal.



Hegel's dialectic is a system of logic—in his view, the correct philosophical method. It systematically resolves oppositions. Each concept, on his view, generates its own opposite. Reason transcends the resulting contradictions, combining them in a third concept. For instance, the opposing concepts "being" and "nothing" are transcended in "becoming." (The dialectic is sometimes explained with the terms "thesis, antithesis, synthesis," but this simplifying terminology is not Hegel's.) Hegel uses the dialectic to explain historical change and the natural world. For example, he explains sexual reproduction as combining and transcending the two sexes, which are oppositionally incomplete on their own.

Idealism licenses Hegel to interpret the world dialectically. Hegelian Idealism holds that the world is the continuous development of Spirit or Mind (*Geist*). The world is thus essentially mental and so operates in accordance with reason, that is, dialectically. On the traditional interpretation, his theory is pantheistic: the universe is Spirit thinking itself. Some recent interpreters have argued that Hegel is not committed to a metaphysical thesis of divine immanence; Spirit can be understood as the collective spirit of each historical age, as opposed to an independent, conscious entity. Thus Allen Wood describes Hegel's view as "historicized naturalism," in which human nature and, derivatively, ethical standards are essentially social or historical.

On either reading, Hegel's Idealism implies that the world is rationally intelligible. His Preface to *Philosophy of Right* explains that the task of philosophy is to reconcile us to the world by uncovering its inner rationality—"the rose in the cross of the present." Philosophy cannot prescribe how things ought to be. Instead, it can only examine forms of life which have already completely developed their inner rationality: "the owl of Minerva begins its flight only with the onset of dusk." At first glance, Hegel's axiom that "What is rational is actual; and what is actual is rational" appears conservative. But Hegel carefully distinguishes what *exists* from what is *actual* (what has successfully developed its nature) and so leaves conceptual room for reform (§270).

Another distinctive Hegelian view is that self-consciousness depends on recognizing others and being recognized in turn. His famous exposition of this, the parable of lordship and bondage in *Phenomenology of Spirit*, imagines two individuals in mutual confrontation, each recognizing his own personhood as he recognizes the other recognizing him. This prompts a "trial by death" in a mutual attempt to secure recognition. The risk of life involved demonstrates each man's transcendence of mere existence. Eventually, one combatant yields and becomes a slave; the other becomes master. Paradoxically, the slave now finds self-recognition through his work, while the master becomes dependent on the slave. For Hegel, this generates the central political problem of how everyone can secure stable equal recognition.

Hegel's main political work, *Elements of the Philosophy of Right*, begins by examining the will. In the modern world the individual is inherently free: "the will is *free*, so that freedom constitutes its substance and destiny" (§4). Right (*Recht*, also translated *law* or *justice*) is a rational order in which human freedom develops in a dialectical progression of the will. The will is inherently indeterminate: it can abstract itself from "every limitation, every content" (§4). Indeterminacy is not freedom: if we do not will anything particular, we are not persons at all. Freedom requires limiting the will through commitment to some self-definition, yet simultaneously being able to recognize this role as one's own. How can an inherently indeterminate being recognize itself in limitation? Hegel's dialectical solution is that the content of the will must be "universal," expressing the collective social spirit.

Hegel writes that freedom is usually understood as an absence of restraint, allowing the pursuit of desires. But this is not true freedom, because the will is determined randomly by indiscriminate urges such as hunger and thirst. Hegelian "absolute freedom" is achieved by taming the will through a "purification of the drives" which integrates desires into a system ordered by customary roles and duties.

In apparent paradox, Hegel insists that duty is freedom: "The individual ... finds his *liberation* in duty" (§149). In absolute freedom, the individual identifies with his social role. He sees it as self-expressive, not limiting: it is "not something *alien* to the subject," but "*its own essence*" (§147). Internalizing the role, he desires to do that which is also his duty. Further, the system of Right organizes the desires of everyone harmoniously, overcoming the conflict between individual and community. The roles of "ethical life" (*Sittlichkeit*), or customary morality, remove the individual from isolation by connecting him to a larger whole, express his historically shaped nature, and secure mutual recognition. Ethical life is the highest stage of Right.

The system of Right exists in three stages simultaneously. The first, abstract right, concerns property, contract, and punishment. Considered in this stage, the person has rights over property (including the body). Abstract right secures equal mutual recognition between citizens as rights-bearers—property owners or contractors: "The commandment of right is...: *be a person and respect others as persons*" (§36). In Hegel's retributive account, punishment recognizes the criminal "as a rational being" who chose his crime (§100). Abstract right focuses only on that which is external to the individual, and so is an incomplete development of freedom.

So the next stage of right is morality, which focuses on the individual's interiority or subjectivity. Morality, understood as Kant's Categorical Imperative, is not sufficiently defined to guide action. Rousseau's understanding of conscience as independent of society is likewise inadequate. For Hegel, duty and judgment, like the self, exist in a social context, in relation to others. Absolute freedom is realized only at the stage of ethical life—social institutions and shared customs. Its three levels are family, civil society, and the state.

The spirit of the family is non-contractual and non-individualistic. Here individuals understand themselves as members of a larger unit, a role which is self-defining, not limiting. In Hegel's system, women are confined to the family, the unreflective or un-self-conscious stage of ethical life. However, the family is crucial to the whole: its non-contractual bonds reappear as the principle of the state after dissolution in individualistic civil society.

What Hegel calls "civil society," which he distinguishes from the political, includes the economic sphere, the administration of justice, the police, and corporations (trade or professional associations). Here men interact as self-interested independent individuals. However, in trade their needs are organized into "a system of all-round interdependence" (§183) and in the corporations, foreshadowing citizenship and recalling the family, they belong as members in a united larger whole.

Freedom is only fully realized (and only by men) in the state. Hegel rejects social contract theory because it represents membership in the state as self-interested and contingent. For Hegel, it necessarily involves belonging in a union in which the opposition between individual and society is overcome in a relationship of trust, and men see themselves represented in the legislature and the monarch.

Hegel died in 1831. His philosophy has exerted tremendous, and diverse, influence. Shortly after his death his followers divided into Left and Right Hegelians. Karl Marx "turned Hegel on his head" by reinterpreting the dialectic as a material, not spiritual, progression. Simone de Beauvoir endorsed Hegel's dialectical view of gender but argued that it is contingent, not necessary. Hegel's influence extends as well to existentialism and to contemporary communitarian critiques of liberal individualism.

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The Phenomenology of Spirit (1807)

A. Independence and Dependence of Self-Consciousness: Lordship and Bondage

178. Self-consciousness exists in and for itself[1] when, and by the fact that, it so exists for another; that is, it exists only in being acknowledged. The Notion[2] of this its unity in its duplication embraces many and varied meanings. Its moments, then, must on the one hand be held strictly apart, and on the other hand must in this differentiation at the same time also be taken and known as not distinct, or in their opposite significance. The twofold significance of the distinct moments has in the nature of self-consciousness to be infinite,[3] or directly the opposite of the determinateness in which it is posited. The detailed exposition of the Notion of this spiritual unity in its duplication will present us with the process of Recognition.

179. Self-consciousness is faced by another self-consciousness; it has come *out of itself*. This has a twofold significance: first, it has lost itself, for it finds itself as an *other* being; secondly, in doing so it has superseded[4] the other, for it does not see the other as an essential being, but in the other sees its own self.

180. It must supersede this otherness of itself. This is the supersession of the first ambiguity, and is therefore itself a second ambiguity. First, it must proceed to supersede the *other* independent being in order thereby to become certain of *itself* as the essential being; secondly, in so doing it proceeds to supersede its own self, for this other is itself.

181. This ambiguous supersession of its ambiguous otherness is equally an ambiguous return *into itself*. For first, through the supersession, it receives back its own self, because, by superseding its otherness, it again becomes equal to itself; but secondly, the other self-consciousness equally gives it back again to itself, for it saw itself in the other, but supersedes this being of itself in the other and thus lets the other again go free.

182. Now, this movement of self-consciousness in relation to another self-consciousness has in this way been represented as the action of *one* self-consciousness, but this action of the one has itself the double significance of being both its own action and the action of the other as well. For the other is equally independent and self-contained, and there is nothing in it of which it is not itself the origin. The first does not have the object before it merely as it exists primarily for desire, but as something that has an independent existence of its own, which, therefore, it cannot utilize for its own purposes, if that object does not of its own accord do what the first does to it. Thus the movement is simply the double movement[5] of the two self-consciousnesses. Each sees the *other* do the same as it does; each does itself what it demands of the other, and therefore also does what it does only in so far as the other does the same. Action by one side only would be useless because what is to happen can only be brought about by both.

183. Thus the action has a double significance not only because it is directed against itself as well as against the other, but also because it is indivisibly the action of one as well as of the other.

184. In this movement we see repeated the process which presented itself as the play of Forces, but repeated now in consciousness. What in that process was *for us*,[6] is true here of the extremes[7] themselves. The middle term[8] is self-consciousness which splits into the extremes; and each extreme is this exchanging of its own determinateness and an absolute transition into the opposite. Although, as

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[1] *in and for itself* Implicitly and on its own account; rather like the English expression "in and of itself."

[2] *Notion* The German term, *Begriff* is also translated as "concept." Note that all nouns are capitalized in German; capitals in the present text are introduced by the translator.

[3] *infinite* Hegel gives this term a distinctive sense: able to transcend any limitations and incorporate them into itself.

[4] *superseded* Translating the German *Aufhebung*, which can mean *cancel, retain* and *go beyond.* Hegel frequently intends all three senses. See §188 below.

[5] *double movement* Reciprocal interaction is an important motif in Hegel's thought.

[6] *for us* Hegel here identifies what we as philosophical observers notice, in contrast to what the self-consciousness being talked about is aware of.

[7] *extremes* This term can also refer to the subject and predicate of the conclusion in a syllogism.

[8] *middle term* The reference is to the "middle term" of a syllogism in Aristotelian logic which occurs in both premises. For example, in the syllogism

All *men* are mortal
Socrates is a *man*

Therefore, Socrates is mortal

"man" is the middle term.

consciousness, it does indeed come *out of itself*, yet, though out of itself, it is at the same time kept back within itself, is *for itself*, and the self outside it, is for *it*.[1] It is aware that it at once is, and is not, another consciousness, and equally that this other is *for itself* only when it supersedes itself as being for itself, and is for itself only in the being-for-self[2] of the other. Each is for the other the middle term, through which each mediates itself with itself and unites with itself; and each is for itself, and for the other, an immediate being on its own account, which at the same time is such only through this mediation. They *recognize* themselves as *mutually recognizing* one another.

185. We have now to see how the process of this pure Notion of recognition, of the duplicating of self-consciousness in its oneness, appears to self-consciousness. At first, it will exhibit the side of the inequality of the two, or the splitting-up of the middle term into the extremes which, as extremes, are opposed to one another, one being only *recognized*, the other only *recognizing*.

186. Self-consciousness is, to begin with, simple being-for-self, self-equal through the exclusion from itself of everything else. For it, its essence and absolute object is "I"; and in this immediacy, or in this [mere] being, of its being-for-self, it is an *individual*. What is "other" for it is an un-essential, negatively characterized[3] object. But the "other" is also a self-consciousness; one individual is confronted by another individual. Appearing thus immediately on the scene, they are for one another like ordinary objects, *independent* shapes, individuals submerged in the being [or immediacy] of *Life*—for the object in its immediacy is here determined as Life. They are, *for each other*,[4] shapes of consciousness which have not yet accomplished the movement of absolute abstraction,[5] of rooting-out all immediate being, and of being merely the purely negative being of self-identical consciousness; in other words, they have not as yet exposed themselves to each other in the form of pure being-for-self, or as self-consciousnesses. Each is indeed certain of its own self, but not of the other, and therefore its own self-certainty still has no truth.[6] For it would have truth only if its own being-for-self had confronted it as an independent object, or, what is the same thing, if the object had presented itself as this pure self-certainty. But according to the Notion of recognition this is possible only when each is for the other what the other is for it,[7] only when each in its own self through its own action, and again through the action of the other, achieves this pure abstraction of being-for-self.

187. The presentation of itself, however, as the pure abstraction of self-consciousness consists in showing itself as the pure negation of its objective mode,[8] or in showing that it is not attached to any specific *existence*, not to the individuality common to existence as such, that it is not attached to life. This presentation is a twofold action: action on the part of the other, and action on its own part. In so far as it is the action of the *other*, each seeks the death of the other. But in doing so, the second kind of action, action on its own part, is also involved; for the former involves the staking of its own life. Thus the relation of the two self-conscious individuals is such that they prove themselves and each other through a life-and-death struggle. They must engage in this struggle, for they must raise their certainty of being *for themselves* to truth, both in the case of the other and in their own case. And it is only through staking one's life that freedom is won; only thus is it proved that for self-consciousness, its essential being is not [just] being, not the *immediate* form in which it appears, not its submergence in the expanse of life, but rather that there is nothing present in it which could not be regarded as a vanishing moment, that it is only pure *being-for-self*. The individual who has not risked his life may well be recognized as a *person*, but he has not attained to the truth of this recognition as an independent self-consciousness. Similarly, just as each stakes his own life, so each must seek the other's death, for it values the other no more than itself; its essential being is present to it in the form of an "other," it is outside of itself and must rid itself of its self-externality. The other is an immediate

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[1] *for itself ... for it* Two quite different expressions. The first means "on its own account"; the second, "what consciousness is aware of."

[2] *being-for-self* Something that is on its own account.

[3] *negatively characterized* Defined by what it is *not*.

[4] *for each other* Each is aware of the other only in this way.

[5] *absolute abstraction* Distinguishing in a thoroughgoing way from all non-essential details of our existence.

[6] *self-certainty ... truth* Throughout the *Phenomenology* the goal is to overcome any discrepancy between what a consciousness holds for certain and what is true. "Self-certainty" is found when we are confident that we know who and what we are. We may later discover we have been mistaken, so our certainty is not true.

[7] *each is ... for it* Other persons are to be aware of us in the same way that we are aware of them.

[8] *pure negation ... mode* Reflection in which we radically distinguish the self from the body (or object) in which it lives.

consciousness entangled in a variety of relationships, and it must regard its otherness as a pure being-for-self or as an absolute negation.[1]

188. This trial by death, however, does away with the truth which was supposed to issue from it, and so, too, with the certainty of self generally. For just as life is the *natural* setting of consciousness, independence without absolute negativity,[2] so death is the *natural* negation of consciousness, negation without independence,[3] which thus remains without the required significance of recognition. Death certainly shows that each staked his life and held it of no account, both in himself and in the other; but that is not for those who survived this struggle. They put an end to their consciousness in its alien setting of natural existence, that is to say, they put an end to themselves, and are done away with as *extremes* wanting to be *for themselves*, or to have an existence of their own. But with this there vanishes from their interplay the essential moment of splitting into extremes with opposite characteristics; and the middle term collapses into a lifeless unity which is split into lifeless, merely immediate, unopposed extremes; and the two do not reciprocally give and receive one another back from each other consciously, but leave each other free only indifferently, like things. Their act is an abstract negation, not the negation coming from consciousness, which supersedes in such a way as to preserve and maintain what is superseded, and consequently survives its own supersession.[4]

189. In this experience, self-consciousness learns that life is as essential to it as pure self-consciousness. In immediate self-consciousness the simple "I" is absolute mediation, and has as its essential moment lasting independence. The dissolution of that simple unity is the result of the first experience; through this there is posited a pure self-consciousness, and a consciousness which is not purely for itself but for another, i.e., is a merely *immediate* consciousness, or consciousness in the form of *thinghood*. Both moments are essential. Since to begin with they are unequal and opposed, and their reflection into a unity has not yet been achieved, they exist as two opposed shapes of consciousness; one is the independent consciousness whose essential nature is to be for itself, the other is the dependent consciousness whose essential nature is simply to live or to be for another. The former is lord, the other is bondsman.

190. The lord is the consciousness that exists *for itself*, but no longer merely the Notion of such a consciousness. Rather, it is a consciousness existing *for itself* which is mediated with itself through another consciousness, i.e., through a consciousness whose nature it is to be bound up with an existence that is independent, or thinghood in general.[5] The lord puts himself into relation with both of these moments, to a *thing* as such, the object of desire, and to the consciousness for which thinghood is the essential characteristic. And since he is (a) *qua* the Notion of self-consciousness an immediate relation of *being-for-self*, but (b) is now at the same time mediation, or a being-for-self which is for itself only through another, he is related (a) immediately to both, and (b) mediately to each through the other. The lord relates himself mediately to the bondsman through a being [a thing] that is independent, for it is just this which holds the bondsman in bondage; it is his chain from which he could not break free in the struggle, thus proving himself to be dependent, to possess his independence in thinghood.[6]

But the lord is the power over this thing, for he proved in the struggle that it is something merely negative;[7] since he is the power over this thing and this again is the power over the other [the bondsman], it follows that he holds the other in subjection. Equally, the lord relates himself mediately to the thing through the bondsman; the bondsman, *qua* self-consciousness in general, also relates himself negatively to the thing, and takes away its independence; but at the same time the thing is independent *vis-à-vis* the bondsman, whose negating of it, therefore, cannot go the length of being altogether done with it to the point of annihilation;[8] in other words, he only *works* on it. For the lord, on the other hand, the *immediate* relation becomes through this mediation the sheer negation of the thing, or the enjoyment of it. What desire[1] failed to achieve, he succeeds in doing, viz. to have done with the thing altogether, and to achieve satisfaction in the enjoyment of it. Desire failed to do this because of the thing's independence; but the lord, who has interposed the bondsman between it and himself, takes to himself only the dependent aspect of the thing and has the pure enjoyment of it. The aspect of its independence he leaves to the bondsman, who works on it.

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[1] *as an absolute negation* As being in no way related to anything else, entirely on one's own.

[2] *independence … negativity* A separate existence in which we do not consciously separate ourselves from others around us.

[3] *negation without independence* I.e., through death we become what we were not, but we thereby cease to have a separate existence.

[4] *abstract … supersession* Hegel here contrasts a kind of negating which totally abandons any implicit relationship from the kind of negating which presupposes and requires its opposite.

[5] *through … in general* The bondsman or slave simply becomes one thing among many, both in the eyes of the lord and in his or her own eyes.

[6] *it is … thinghood* The bondsman's life is essentially tied up with the other things the lord owns.

[7] *that it is something merely negative* I.e., that things (including the bondsman) make no contribution to the lord's sense of himself.

[8] *whose negating … annihilation* I.e., the bondsman can overcome the independence of the things around him, but he cannot simply absorb them into the satisfaction of his own desires.

191. In both of these moments the lord achieves his recognition through another consciousness; for in them, that other consciousness is expressly something unessential, both by its working on the thing, and by its dependence on a specific existence. In neither case can it be lord over the being of the thing and achieve absolute negation of it. Here, therefore, is present this moment of recognition, viz. that the other consciousness sets aside its own being-for-self, and in so doing itself does what the first does to it. Similarly, the other moment too is present, that this action of the second is the first's own action; for what the bondsman does is really the action of the lord. The latter's essential nature is to exist only for himself; he is the sheer negative power for whom the thing is nothing. Thus he is the pure, essential action in this relationship, while the action of the bondsman is impure and unessential. But for recognition proper the moment is lacking, that what the lord does to the other he also does to himself, and what the bondsman does to himself he should also do to the other. The outcome is a recognition that is one-sided and unequal.

192. In this recognition the unessential consciousness is for the lord the object, which constitutes the *truth* of his certainty of himself. But it is clear that this object does not correspond to its Notion, but rather that the object in which the lord has achieved his lordship has in reality turned out to be something quite different from an independent consciousness. What now really confronts him is not an independent consciousness, but a dependent one. He is, therefore, not certain of *being-for-self* as the truth of himself.[2] On the contrary, his truth is in reality the unessential consciousness and its unessential action.

193. The *truth* of the independent consciousness is accordingly the servile consciousness of the bondsman. This, it is true, appears at first *outside* of itself and not as the truth of self-consciousness. But just as lordship showed that its essential nature is the reverse of what it wants to be, so too servitude in its consummation will really turn into the opposite of what it immediately is; as a consciousness forced back into itself, it will withdraw into itself and be transformed into a truly independent consciousness.

194. We have seen what servitude is only in relation to lordship. But it is a self-consciousness, and we have now to consider what as such it is in and for itself. To begin with, servitude has the lord for its essential reality; hence the *truth* for it is the independent consciousness that is *for itself*. However, servitude is not yet aware that this truth is implicit in it. But it does in fact contain within itself this truth of pure negativity and being-for-self, for it has experienced this its own essential nature. For this consciousness has been fearful, not of this or that particular thing or just at odd moments, but its whole being has been seized with dread; for it has experienced the fear of death, the absolute Lord. In that experience it has been quite unmanned, has trembled in every fiber of its being, and everything solid and stable has been shaken to its foundations. But this pure universal movement, the absolute melting-away of everything stable, is the simple, essential nature of self-consciousness, absolute negativity, *pure being-for-self*, which consequently is *implicit* in this consciousness. This moment of pure being-for-self is also *explicit* for the bondsman, for in the lord it exists for him as his *object*. Furthermore, his consciousness is not this dissolution of everything stable merely in principle; in his service he actually brings this about. Through his service he rids himself of his attachment to natural existence in every single detail; and gets rid of it by working on it.[3]

195. However, the feeling of absolute power both in general, and in the particular form of service, is only implicitly this dissolution, and although the fear of the lord is indeed the beginning of wisdom,[4] consciousness is not therein aware that it is a being-for-self. Through work, how-

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[1] *desire* Earlier in the *Phenomenology* self-consciousness on its own fails to achieve the truth of its self-certainty as desiring, because satisfaction always leads to the dissatisfaction of renewed desire.

[2] *He is … himself* Since the bondsman only does what the lord commands, the lord does not receive any independent confirmation of his own sense of self, and so he loses his original sense of self-certainty.

[3] *But this pure … working on it* When confronted with the immediate threat of death, the bondsman learns that nothing else is really of any importance other than his own self-conscious life. At first he attributes that independence to the lord. But he puts his insight into practice by working on things that are of really no interest to him.

[4] *fear of the lord … wisdom* See Psalm 111.10: "The fear of the Lord is the beginning of wisdom."

ever, the bondsman becomes conscious of what he truly is. In the moment which corresponds to desire in the lord's consciousness, it did seem that the aspect of unessential relation to the thing fell to the lot of the bondsman, since in that relation the thing retained its independence. Desire has reserved to itself the pure negating of the object and thereby its unalloyed feeling of self. But that is the reason why this satisfaction is itself only a fleeting one, for it lacks the side of objectivity and permanence.[1] Work, on the other hand, is desire held in check, fleetingness staved off; in other words, work forms and shapes the thing. The negative relation to the object becomes its *form* and something *permanent*, because it is precisely for the worker that the object has independence. This *negative* middle term or the formative *activity* is at the same time the individuality or pure being-for-self of consciousness which now, in the work outside of it, acquires an element of permanence. It is in this way, therefore, that consciousness, *qua* worker, comes to see in the independent being [of the object] its *own* independence.[2]

196. But the formative activity has not only this positive significance that in it the pure being-for-self of the servile consciousness acquires an existence; it also has, in contrast with its first moment, the negative significance of *fear*. For, in fashioning the thing, the bondsman's own negativity, his being-for-self, becomes an object for him only through his setting at nought the existing *shape* confronting him. But this objective *negative* moment[3] is none other than the alien being before which it has trembled. Now, however, he destroys this alien negative moment, posits *himself* as a negative in the permanent order of things, and thereby becomes *for himself*, someone existing on his own account. In the lord, the being-for-self is an "other" for the bondsman, or is only *for* him[4] [i.e., is not his own]; in fear, the being-for-self is present in the bondsman himself; in fashioning the thing, he becomes aware that being-for-self belongs to *him*, that he himself exists essentially and actually in his own right. The shape does not become something other than himself through being made external to him; for it is precisely this shape that is his pure being-for-self, which in this externality is seen by him to be the truth.[5] Through this rediscovery of himself by himself, the bondsman realizes that it is precisely in his work wherein he seemed to have only an alienated existence that he acquires a mind of his own. For this reflection, the two moments of fear and service as such, as also that of formative activity, are necessary, both being at the same time in a universal mode. Without the discipline of service and obedience, fear remains at the formal stage, and does not extend to the known real world of existence. Without the formative activity, fear remains inward and mute, and consciousness does not become explicitly *for itself*. If consciousness fashions the thing without that initial absolute fear, it is only an empty self-centered attitude; for its form or negativity is not negativity *per se*, and therefore its formative activity cannot give it a consciousness of itself as essential being. If it has not experienced absolute fear but only some lesser dread, the negative being has remained for it something external, its substance has not been infected by it through and through. Since the entire contents of its natural consciousness have not been jeopardized, determinate being still *in principle* attaches to it; having a 'mind of one's own' is self-will, a freedom which is still enmeshed in servitude.[6] Just as little as the pure form can become essential being for it, just as little is that form, regarded as extended to the particular, a universal formative activity, an absolute Notion; rather it is a skill which is master over some things, but not over the universal power and the whole of objective being.

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[1] *But that … permanence* The lord can enjoy the delightful thing produced by the bondsman, but once that enjoyment is over, he is back wanting more exciting pleasures.

[2] *This negative … independence* The fear of death revealed the bondsman's self was essentially the pure dynamic of living. Through work, that dynamic gives form and shape to the object worked upon. After the work is completed, the bondsman can look at it and see an objective embodiment of his own activity.

[3] *objective negative moment* I.e., a moment in which the thing being worked on is independent and other than himself.

[4] *only for him* Only something he is aware of as present.

[5] *it is precisely … is seen by him to be the truth* I.e., he becomes certain of who he really is.

[6] *If it has not experienced … servitude* Without the experience of total terror when faced with death, there is no discovery that the independent form of the object created is the bondsman's own being. The object would then remain simply one external entity among many, and any self-assertion would be an unjustified claim to uniqueness.

Philosophy of Right (1821)

from *Preface*

The immediate occasion for me to publish this outline is the need to provide my audience with an introduction to the lectures on the *Philosophy of Right* which I deliver in the course of my official duties.[1] This textbook is a more extensive, and in particular a more systematic, exposition of the same basic concepts which, in relation to this part of philosophy, are already contained in a previous work designed to accompany my lectures, namely my *Encyclopaedia of the Philosophical Sciences* (Heidelberg, 1817).[2]

The fact that this outline was due to appear in print and thus to come before a wider public gave me the opportunity to amplify in it some of those *Remarks*[3] whose primary purpose was to comment briefly on ideas [*Vorstellungen*][4] akin to or divergent from my own, on further consequences of my argument, and on other such matters as would be properly elucidated in the lectures themselves. I have amplified them here so as to clarify on occasion the more abstract contents of the text and to take fuller account of related ideas [*Vorstellungen*] which are current at the present time. As a result, some of these Remarks have become more extensive than the aim and style of a compendium would normally lead one to expect. A genuine compendium, however, has as its subject-matter what is considered to be the entire compass of a science;[5] and what distinguishes it—apart, perhaps, from a minor addition here or there—is above all the way in which it arranges and orders the essential elements [*Momente*][6] of a content which has long been familiar and accepted, just as the form in which it is presented has its rules and conventions which have long been agreed. But a philosophical outline is not expected to conform to this pattern, if only because it is imagined that what philosophy puts forward is as ephemeral a product as Penelope's weaving, which is begun afresh every day.[7]

It is certainly true that the primary difference between the present outline and an ordinary compendium is the method which constitutes its guiding principle. But I am here presupposing that the philosophical manner of progressing from one topic to another and of conducting a scientific proof—this entire speculative mode of cognition[8]—is essentially different from other modes of cognition. The realization that such a difference is a necessary one is the only thing which can save philosophy from the shameful decline into which it has fallen in our times. It has indeed been recognized that the forms and rules of the older logic—of definition, classification, and inference—which include the rules of the understanding's cognition [*Verstandeserkenntnis*], are inadequate for speculative science. Or rather, their inadequacy has not so much been recognized as merely felt, and then the rules in question have been cast aside, as if they were simply fetters, to make way for the arbitrary pronouncements of the heart, of fantasy, and of contingent intuition; and since, in spite of this, reflection and relations of thought inevitably also come into play, the despised method of commonplace deduction and ratiocination is unconsciously adopted.[1]—Since I have fully developed the nature of speculative knowledge in my *Science of Logic*,[2] I have only occasionally added an explanatory comment on procedure and method in the present outline. Given that the subject-matter is concrete and inherently of so varied a nature, I have of course omitted to demonstrate and bring out the logical progression in each and every detail. But on the one hand, it might have been considered superfluous to do so in view of the fact that I have presupposed a familiarity with scientific method; and on the other, it will readily be noticed that the work as a whole, like the construction [*Ausbildung*] of its parts, is based on the logical spirit. It is also chiefly from this point of view that I would wish this treatise to be understood and judged. For what it deals with is *science*, and in science, the content is essentially inseparable from the *form*.[3]

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[1] *publish … duties* In German universities, professors frequently start from a condensed paragraph which they will dictate (if it is not already published in a handbook), and then comment on. The *Philosophy of Right* is just such a handbook. After Hegel's death, his students collected student notes from these lectures, and edited them into a series of "Additions" that are connected to the various paragraphs. In this text the additions come from notes taken by H.G. Hotho in 1822–23 (H) and K.G. von Griesheim in 1824–25 (G).

[2] *Encyclopaedia … 1817* The *Philosophy of Right* is an expansion of the section on "Objective Spirit" contained in the third part of the *Encyclopaedia of the Philosophical Sciences*, called the *Philosophy of Spirit* or *Philosophy of Mind*. The *Encyclopaedia* is also a compendium of condensed paragraphs designed to be used in Hegel's lectures. The 1817 edition was revised twice in Hegel's lifetime, in 1827 and 1830.

[3] *Remarks* Hegel's "Remarks" are to be distinguished from the "Additions" in that they are elaborations of the basic paragraphs written by Hegel himself. In the following text, they are indented. Under every numbered paragraph, then, we can have three distinct components: the paragraph itself, a Remark expanding on this (written by Hegel), and an Addition containing material from students' notes.

[4] *ideas* Hegel draws a sharp distinction between "ideas" or "representations" (German *Vorstellungen*) which are the common thoughts people have, and the more carefully defined "concepts" or "notions" which are the result of disciplined reflection. They are not to be confused with Ideas with a capital I.

[5] *science* By "science" Hegel means a disciplined body of knowledge that follows systematically from point to point.

[6] *essential elements [Momente]* Hegel's use of the German term *Momente* for the components of an analysis suggests that they are not static and permanent, but transient stages in a continuous development.

[7] *Penelope's … day* The reference is to the wife of Odysseus in Homer's epic, who would unravel overnight the cloth she had woven during the day. Her husband's overlong absence had generated a number of suitors for her hand, and she had promised to choose one of them once her weaving was finished.

[8] *speculative mode of cognition* In the first part of the *Encyclopaedia* and in a separate treatise, both called *Science of Logic*, Hegel endeavored to show how thought leads necessarily from concept to concept following a method of continual elaboration. Once thought turns to the real world of nature and politics it can use the same method to show how the interconnections among natural and social phenomena can be grasped in a comprehensive way.

It is true that we may hear it said by those who seem to adopt the most thorough approach that form is a purely external quality, indifferent to the matter [*Sache*] itself, which is alone of consequence; furthermore, the task of the writer, especially the philosophical writer, may be said to consist in the discovery of *truths*, the statement of *truths*, and the dissemination of *truths* and correct concepts. But if we consider how this task is actually performed, we see on the one hand how the same old brew is reheated again and again and served up to all and sundry—a task that may not be without its merits in educating and arousing the emotions, though it might sooner be regarded as the superfluous product of over-zealous activity—"for they have Moses and the prophets; let them hear them."[4] Above all, we have ample opportunity to wonder at the tone and pretentiousness that can be detected in such writers, as if all that the world had hitherto lacked was these zealous disseminators of truths, and as if their reheated brew contained new and unheard-of truths which ought, as they always claim, to be taken particularly to heart, above all "at the present time." But on the other hand, we can see how whatever truths of this kind are handed out by one party are displaced and swept away by truths of precisely the same kind dispensed by other parties. And if, amidst this jumble of truths, there is something that is neither old nor new but enduring, how can it be extracted from these formlessly fluctuating reflections—how can it be distinguished and verified other than by *scientific* means?

The *truth* concerning *right,*[5] *ethics, and the state* is at any rate *as old* as its *exposition and promulgation* in *public laws and in public morality and religion.* What more does this truth require, inasmuch as the thinking mind [*Geist*][6] is not content to possess it in this proximate manner? What it needs is to be *comprehended* as well, so that the content which is already rational in itself may also gain a rational form[7] and thereby appear justified to free thinking. For such thinking does not stop at what is *given,* whether the latter is supported by the external positive authority of the state or of mutual agreement among human beings, or by the authority of inner feeling and the heart and by the testimony of the spirit which immediately concurs with this, but starts out from itself and thereby demands to know itself as united in its innermost being with the truth.

The simple reaction [*Verhalten*] of ingenuous emotion is to adhere with trusting conviction to the publicly recognized truth and to base one's conduct and fixed position in life on this firm foundation. But this simple reaction may well encounter the supposed difficulty of how to distinguish and discover, among the *infinite variety of opinions*, what is universally acknowledged and valid in them; and this perplexity may easily be taken for a just and genuine concern with the matter [*Sache*] itself. But in fact, those who pride themselves on this perplexity are in the position of not being able to see the wood for the trees and the only perplexity and difficulty that is present is the one they have themselves created; indeed, this perplexity and difficulty, is rather a proof that they want something other than what is universally acknowledged and valid, something other than the substance of the right and the ethical. For if they were genuinely concerned with the latter and not with the *vanity* and *particularity* of opinions and being, they would adhere to the substantial right, namely to the commandments of ethics and of the state, and regulate their lives accordingly.—A further difficulty arises, however, from the fact that human beings *think* and look for their freedom and the basis of ethics in [the realm of] thought. But however exalted, however divine this right may be, it is nevertheless transformed into wrong if the only criterion of thought, and the only way in which thought can know itself to be free is the extent to which it *diverges from what is universally acknowledged and valid* and manages to invent something *particular* for itself.[1]

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[1] *felt ... adopted* Hegel is here referring to the Romantic thinkers of his day who rejected the tyranny of thought and advocated greater reliance on the immediate intuitions of the heart.

[2] *Science of Logic* Originally published in 1812–16, with a second edition of the first part in 1831. A condensed version for his lectures is included in his *Encyclopaedia.*

[3] *content ... form* For Hegel, the form of the discussion must follow from the nature of the concepts being discussed. It is not a template that is simply applied from outside to satisfy some other interests.

[4] *for they have Moses ... hear them* See Luke 16.29.

[5] *right* The human interest in justice and fairness, both in public institutions and personal morality.

[6] *mind [Geist]* The German term names self-conscious life, and Hegel uses it to cover all stages of life, from that of the incipient human individual to that of the most complex organizations of international relations, and even to interactions between humans and the divine. It is thus frequently translated "spirit." Since Hegel is here talking about "thinking spirit," *mind* is an appropriate alternative.

[7] *content ... form* Hegel's conviction is that the world of nature and human society operates according to rational principles. This is why we can use our minds to understand how it works. He wants to bring this inherent rationality out through the structure of his argument.

The notion [*Vorstellung*][2] that freedom of thought, and of spirit in general, can be demonstrated only by divergence from, and even hostility towards, what is publicly acknowledged might seem to be most firmly rooted nowadays in *relation* [*Beziehung*] *to the state*; for this very reason, it might seem to be the essential task of a philosophy of the state to invent and propound *yet another theory*, and specifically, a new and particular theory. If we examine this notion [*Vorstellung*] and the activity that is associated with it, we might well imagine that no state or constitution had ever previously existed or were in existence today, but that we had *now* (and this "now" is of indefinite duration) to start right from the beginning, and that the ethical world had been waiting only for such intellectual constructions, discoveries, and proofs as are *now* available. As far as *nature* is concerned, it is readily admitted that philosophy must recognize it *as it is*, that the philosopher's stone lies hidden *somewhere*, but *within nature itself*, that nature is *rational within itself*, and that it is this *actual* reason present within it which knowledge must investigate and grasp conceptually—not the shapes and contingencies which are visible on the surface, but, nature's eternal harmony, conceived, however, as the law and essence *immanent* within it. *The ethical world*, on the other hand, the state, or, reason as it actualizes itself in the element of self-consciousness, is not supposed to be happy in the knowledge that it is reason itself which has in fact gained power and authority [*Gewalt*] within this element, and which asserts itself there and remains inherent within it.

Addition (H). There are two kinds of laws, laws of nature and laws of right: the laws of nature are simply there and are valid as they stand: they suffer no diminution, although they may be infringed in individual cases. To know what the law of nature is, we must familiarize ourselves with nature, for these laws are correct and it is only our notions [*Vorstellungen*] concerning them which may be false. The measure of these laws is external to us, and our cognition adds nothing to them and does not advance them: it is only our cognition of them which can expand. Knowledge [*Kenntnis*] of right is in one respect similar to this and in another respect different. We get to know the laws of right in just the same way, simply as they are; the citizen knows them more or less in this way, and the positive jurist[3] also stops short at what is given. But the difference is that, with the laws of right, the spirit of reflection comes into play and their very diversity draws attention to the fact that they are not absolute. The laws of right are something *laid down*, something *derived from* human beings. It necessarily follows that our inner voice may either come into collision with them or concur with them. The human being does not stop short at the existent [*dem Daseienden*], but claims to have within himself the measure of what is right; he may be subjected to the necessity and power of external authority, but never in the same way as to natural necessity, for his inner self always tells him how things ought to be, and he finds within himself the confirmation or repudiation of what is accepted as valid. In nature, the highest truth is that a law *exists at all*; in laws of right; however, the thing [*Sache*] is not valid because it exists; on the contrary, everyone demands that it should match his own criterion. Thus a conflict may arise between what is and what ought to be, between the right which has being in and for itself,[4] which remains unaltered, and the arbitrary determination of what is supposed to be accepted as right. A disjunction and conflict of this kind is found only in the sphere [*Boden*] of the spirit, and since the prerogative of the spirit thus seems to lead to discord and unhappiness, we often turn away from the arbitrariness of life to the contemplation of nature and are inclined to take the latter as a model. But these very discrepancies [*Gegensätze*] between that right which has being in and for itself and what arbitrariness proclaims as right make it imperative for us to learn to recognize precisely what right is. In right, the human being must encounter his own reason; he must therefore consider the rationality of right; and this is the business of our science, in contrast with positive jurisprudence, which is often concerned only with contradictions. Besides, the present-day world has a more urgent need of such an investigation, for in olden times there was still respect and veneration for the existing [*bestehenden*] law, whereas the culture [*Bildung*] of the present age has taken a new direction, and thought has adopted a leading role in the formation of values. Theories are put forward in opposition to what already exists [*dem Daseienden*], theories which seek to appear correct and necessary in and for themselves. From now on, there is a more special need to recognize and comprehend the thoughts of right. Since thought has set itself up as the essential form, we must attempt to grasp right, too, in terms of thought. If thought is to take precedence over right, this would seem to throw open the door to contingent opinions; but genuine thought is not an opinion about something [*die Sache*], but the concept of the thing [*Sache*] itself. The concept of the thing does not come to us by nature. Everyone has fingers and can take a brush and paint, but that does not make him a painter. It is precisely the same with thinking. The thought of right is not, for example, what everybody knows at first hand; on the contrary, correct thinking is knowing [*das Kennen*] and recognizing the thing, and our cognition should therefore be scientific.

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[1] *it is … for itself* Hegel here challenges the belief that independent thought always requires originality.

[2] *notion [Vorstellung]* The translator here uses "notion" (rather than "idea" or "representation") for the more casual thoughts of ordinary reflection.

[3] *positive jurist* Jurist who works only with the laws actually recognized by the courts.

[4] *in and for itself* What is implicit and on its own account; "in and of itself."

The spiritual universe[1] is supposed rather to be at the mercy of contingency and arbitrariness, to be *god-forsaken*, so that, according to this atheism of the ethical world, *truth* lies *outside* it, and at the same time, since reason is nevertheless *also* supposed to be present in it, truth is nothing but a problem. But, we are told, this very circumstance justifies, indeed, obliges, every thinker to take his own initiative; though not *in search of* the philosopher's stone, for this search is made superfluous by the philosophizing of our times and everyone, whatever his condition, can be assured that he has this stone in his grasp. Now it does admittedly happen that those who live within the actuality of the state and are able to satisfy their knowledge and volition within it—and there are many of them, more in fact than think or know it, for *basically* this includes *everyone*—or at least those who *consciously* find satisfaction within the state, laugh at such initiatives and assurances and regard them as an empty game, now more amusing, now more serious, now pleasing, now dangerous. This restless activity of vain reflection, along with the reception and response it encounters, might be regarded as a separate issue [*Sache*], developing independently in its own distinct way, were it not that *philosophy* in general has incurred all kinds of contempt and discredit as a result of such behavior. The worst kind of contempt it has met with is, as already mentioned, that everyone, whatever his condition, is convinced that he knows all about philosophy in general and can pass judgment upon it. No other art or science is treated with this ultimate degree of contempt, namely the assumption that one can take possession of it outright.

[...]

It should therefore be considered a stroke of *good fortune* for science—although in fact, as I have already mentioned it is a *necessary consequence* of the *thing* [*Sache*] itself—that this philosophizing, which could well have continued to spin itself into its own web of *scholastic wisdom*, has come into closer contact with actuality, in which the principles of rights and duties are a serious matter, and which lives in the light of its consciousness of these principles, and that a *public* split has consequently resulted between the two. It is *this very relation of philosophy to actuality* which is the subject of misunderstandings, and I accordingly come back to my earlier observation that, since philosophy is *exploration of the rational*, it is for that very reason the *comprehension of the present and the actual*, not the setting up of a *world beyond* which exists God knows where—or rather, of which we can very well say that we know where it exists, namely in the errors of a one-sided and empty ratiocination. In the course of the following treatise, I have remarked that even Plato's *Republic*, a proverbial example of an *empty ideal*, is essentially the embodiment of nothing other than the nature of Greek ethics; and Plato, aware that the ethics of his time were being penetrated by a deeper principle which, within this context could appear immediately only as an as yet unsatisfied longing and hence only as a destructive force, was obliged, in order to counteract it, to seek the help of that very longing itself. But the help he required had to come from above, and he could seek it at first only in a particular *external* form of Greek ethics. By this means, he imagined he could overcome the destructive force, and he thereby inflicted the gravest damage on the deeper drive behind it, namely free infinite personality. But he proved his greatness of spirit by the fact that the very principle on which the distinctive character of his Idea[1] turns is the pivot on which the impending world revolution turned.

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[1] *spiritual universe* World of spirit or mind [*Geist*].

> What is rational is actual;
> and what is actual is rational.[2]

This conviction is shared by every ingenuous consciousness as well as by philosophy, and the latter takes it as its point of departure in considering both the *spiritual* and the *natural* universe. If reflection, feeling, or whatever form the subjective consciousness may assume regards the *present* as *vain* and looks beyond it in a spirit of superior knowledge, it finds itself in a vain position; and since it has actuality only in the present, it is itself mere vanity. Conversely, if the *Idea* is seen as "only an idea," a representation [*Vorstellung*] in the realm of opinion, philosophy affords the opposite insight that nothing is actual except the Idea. For what matters is to recognize in the semblance of the temporal and transient the substance which is immanent and the eternal which is present. For since the rational, which is synonymous with the Idea, becomes actual by entering into external existence [*Existenz*], it emerges in an infinite wealth of forms, appearances, and shapes and surrounds its core with a brightly colored covering in which consciousness at first resides, but which only the concept can penetrate in order to find the inner pulse, and detect its continued beat even within the external shapes.[3] But the infinitely varied circumstances which take shape within this externality as the essence manifests itself within it, this infinite material and its organization, are not the subject-matter of philosophy. To deal with them would be to interfere in things [*Dinge*] with which philosophy has no concern, and it can save itself the trouble of giving good advice on the subject. Plato could well have refrained from recommending nurses never to stand still with children but to keep rocking them in their arms;[4] and Fichte likewise need not have perfected his *passport regulations* to the point of "constructing," as the expression ran, the requirement that the passports of suspect persons should carry not only their personal description but also their painted likeness.[5] In deliberations of this kind, no trace of philosophy remains, and it can the more readily abstain from such ultra-wisdom because it is precisely in relation to this infinite multitude of subjects that it should appear at its most liberal. In this way, philosophical science will also show itself furthest removed from the hatred which the vanity of superior wisdom displays towards a multitude of circumstances and institutions—a hatred in which pettiness takes the greatest of pleasure, because this is the only way in which it can attain self-esteem [*Selbstgefühl*].

This treatise, therefore, in so far as it deals with political science, shall be nothing other than an attempt *to comprehend and portray the state as an inherently rational entity.* As a philosophical composition, it must distance itself as far as possible from the obligation to construct a *state as it ought to be*; such instruction as it may contain cannot be aimed at instructing the state on how it ought to be, but rather at showing how the state, as the ethical universe, should be recognized.

> Ιδου´ η Ρο´ δος, ιδου´ και το π´ηδημα
> *Hic* Rhodus, *hic* saltus.[6]

To comprehend *what is* is the task of philosophy, for *what is* is reason. As far as the individual is concerned, each individual is in any case a *child of his time*; thus philosophy, too, is *its own time comprehended in thoughts.* It is just as foolish to imagine that any philosophy can transcend its contemporary world as that an individual can overleap his own time or leap over Rhodes. If his theory does indeed transcend his own time, if it builds itself a world *as it ought to be*, then it certainly has an existence, but only within his opinions—a pliant medium in which the imagination can construct anything it pleases.

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[1] *Idea* For Hegel, "Idea" with a capital "I" is where concept and the inherent rationality of the actual world come together and match each other. This term when capitalized should be distinguished from our more causal ideas, representations, or notions [*Vorstellung*].

[2] *What is … rational* I.e., the universe is ultimately grounded in reason, so that everything that is actual has its own rationale. This statement is defended in *The Encyclopaedia Logic* §6.

[3] *but which only … shapes* I.e., it requires the discipline of conceiving with concepts rather than the causal association of ideas and representations to get at the rationality of the universe.

[4] *Plato … arms* See Plato, *Laws* vii, 789e.

[5] *Fichte … likeness* See Fichte, *Science of Rights* §21.

[6] Ιδου´ *… saltus* Literally (in Greek, then Latin): Here is Rhodes, jump here. More loosely translated: Pretend this is Rhodes; let's see you jump. It comes from a proverb from one of Aesop's fables in which an athlete boasts that he completed a great jump in Rhodes; the suggestion is that one should be able to do here what one boasts one can do elsewhere.

With little alteration, the saying just quoted would read:

Here is the rose, dance *here.*[1]

What lies between reason as self-conscious spirit and reason as present actuality, what separates the former from the latter and prevents it from finding satisfaction in it, is the fetter of some abstraction or other which has not been liberated into [the form of] the concept.[2] To recognize reason as the rose in the cross of the present[3] and thereby to delight in the present—this rational insight is the *reconciliation* with actuality which philosophy grants to those who have received the inner call *to comprehend*, to preserve their subjective freedom in the realm of the substantial, and at the same time to stand with their subjective freedom not in a particular and contingent situation, but in what has being in and for itself.

This is also what constitutes the more concrete sense of what was described above in more abstract terms as the *unity of form and content.* For *form* in its most concrete significance is reason as conceptual cognition, and *content* is reason as the substantial essence of both ethical and natural actuality; the conscious identity of the two is the philosophical Idea.—It is a great obstinacy, the kind of obstinacy which does honor to human beings, that they are unwilling to acknowledge in their attitudes [*Gesinnung*] anything which has not been justified by thought—and this obstinacy is the characteristic property of the modern age, as well as being the distinctive principle of Protestantism. What Luther inaugurated as faith in feeling and in the testimony of the spirit is the same thing that the spirit, at a more mature stage of its development, endeavors to grasp in the *concept* so as to free itself in the present and thus find itself therein. It has become a famous saying that "a half-philosophy leads away from God"—and it is the same half-measure which defines cognition as an *approximation* to the truth—"whereas true philosophy leads to God";[4] the same applies to philosophy and the state. Reason is not content with an approximation which, as something "neither cold nor hot," it "spews out of its mouth";[5] and it is as little content with that cold despair which confesses that, in this temporal world, things are bad or at best indifferent, but that nothing better can be expected here, so that for this reason alone we should live at peace with actuality. The peace which cognition establishes with the actual world has more warmth in it than this.

A further word on the subject of *issuing instructions* on how the world ought to be: philosophy, at any rate, always comes too late to perform this function. As the *thought* of the world, it appears only at a time when actuality has gone through its formative process and attained its completed state. This lesson of the concept is necessarily also apparent from history, namely that it is only when actuality has reached maturity that the ideal appears opposite the real and reconstructs this real world, which it has grasped in its substance, in the shape of an intellectual *realm.* When philosophy paints its grey in grey, a shape of life has grown old, and it cannot be rejuvenated, but only recognized, by the grey in grey of philosophy; the owl of Minerva[6] begins its flight only with the onset of dusk.

But it is time to conclude this foreword; as a foreword, its function was in any case merely to make external and subjective comments on the point of view of the work to which it is prefaced. If a content is to be discussed philosophically, it will bear only scientific and objective treatment; in the same way, the author will regard any criticism expressed in a form other than that of scientific discussion of the matter [*Sache*] itself merely as a subjective postscript and random assertion, and will treat it with indifference.

Berlin, 25 June 1820

from *Introduction*

§1. The subject-matter of the philosophical science of right is the Idea of right—the concept of right and its actualization.[7]

Philosophy has to do with Ideas and therefore not with what are commonly described as *mere concepts.* On the contrary, it shows that the latter are one-sided and lacking in truth, and that it is the *concept* alone (not what is so often called by that name, but which is merely an abstract determination of the understanding) which has *actuality*, and in such a way that it gives actuality to itself. Everything other than this actuality which is posited by the concept itself is transitory *existence* [*Dasein*], external contingency, opinion, appearance without essence, untruth, deception, etc. The *shape* which the concept assumes in its actualization, and which is essential for cognition of the *concept* itself, is different from its *form* of being purely as concept, and is the other essential moment of the Idea.

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[1] *Here … here* Hegel is playing on words. In Greek the word for Rhodes could also be "rose," whereas in Latin, the word for jump (*saltum*) is related to "dance" (*salta*).

[2] *concept* Disciplined thought.

[3] *reason … present* A reference to the seal of Martin Luther, which has a black cross superimposed on a red heart on a white rose.

[4] *It has become … God* See Francis Bacon's essay, "Of Atheism": "A little philosophy inclineth man's mind to atheism; but depth in philosophy bringeth men's minds about to religion."

[5] *neither cold … mouth* See Revelations 3.15–16.

[6] *owl of Minerva* Minerva (or the Greek Athena) is the goddess of wisdom.

[7] *Idea of right … actualization* As Hegel has mentioned in the Preface, an Idea involves the full (conceptual) comprehension of the rational essence of things as they actually are. In the *Philosophy of Right* Hegel is focusing on questions of fairness and justice as they are embodied in individual, social, and political relations.

Addition (H). The concept and its existence [*Existenz*] are two aspects [of the same thing], separate and united, like soul and body. The body is the same life as the soul, and yet the two can be said to lie outside one another. A soul without a body would not be a living thing, and vice versa. Thus the existence [*Dasein*] of the concept is its body, just as the latter obeys the soul which produced it.[1] The buds have the tree within them and contain its entire strength, although they are not yet the tree itself. The tree corresponds entirely to the simple image of the bud. If the body does not correspond to the soul, it is a wretched thing indeed. The unity of existence [*Dasein*] and the concept, of body and soul, is the Idea. It is not just a harmony, but a complete interpenetration. Nothing lives which is not in some way Idea. The Idea of right is freedom, and in order to be truly apprehended, it must be recognizable in its concept and in the concept's existence [*Dasein*].

§2. The science of right is *a part of philosophy*. It has therefore to develop the *Idea*, which is the reason within an object [*Gegenstand*] out of the concept; or what comes to the same thing, it must observe the proper immanent development of the thing [*Sache*] itself. As a part [of philosophy], it has a determinate *starting point*, which is the *result* and truth of what *preceded* it, and what preceded it is the so-called *proof* of that result. Hence the concept of right, so far as its *coming into being* is concerned, falls outside the science of right; its deduction is presupposed here and is to be taken as *given*.[2]

Addition (G). Philosophy forms a circle. It has an initial or immediate point—for it must begin somewhere—a point which is not demonstrated and is not a result. But the starting point of philosophy is immediately relative, for it must appear at another end-point as a result. Philosophy is a sequence which is not suspended in mid-air; it does not begin immediately, but is rounded off within itself.

According to the formal, non-philosophical method of the sciences, the first thing which is sought and required, at least for the sake of external scientific form, is the *definition*. The positive science of right cannot be much concerned with this, however, since its chief aim is to state *what* is right and legal [*Rechtens*], i.e., what the particular legal determinations are. This is the reason for the warning: "omnis definitio in iure civili periculosa."[3] And in fact, the more incoherent and internally contradictory the determinations of a [system of] right are, the less possible it will be to make definitions within it; for definitions should contain universal determinations, but in the present context, these would immediately make the contradictory element—in this case, what is unjust [*das Unrechtliche*]—visible in all its nakedness. Thus, in Roman law [*das römische Recht*], for example, no definition of a *human being* would be possible, for the slave could not be subsumed under it; indeed, the status [*Stand*] of the slave does violence to that concept. The definitions of "property" and "proprietor" would seem equally hazardous in many situations.—But the deduction of the definition may perhaps be reached by means of etymology, or chiefly by abstraction from particular cases, so that it is ultimately based on the feelings and ideas [*Vorstellung*] of human beings. The correctness of the definition is then made to depend on its agreement with prevailing ideas [*Vorstellungen*]. This method leaves out of account what is alone essential to science—with regard to content, the *necessity of the thing* [*Sache*] in and for itself (in this case, of right), and with regard to form, the nature of the concept. In philosophical cognition, on the other hand, the chief concern is the *necessity* of a concept, and the route by which it has become a *result* [is] its proof and deduction. Thus, given that its *content* is necessary *for itself*, the second step is to look around for what corresponds to it in our ideas [*Vorstellungen*] and language. But this concept as it is for itself in its *truth* may not only be different from our *represen-*

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[1] *like soul and ... produced it* In Hegel's *Logic* life, and particularly the living individual, is the basic form of the Idea, because concept (soul) and actuality (body) are there fully integrated.

[2] *its deduction ... given* This can be found in the *Philosophy of Mind* or *Spirit*, §§485–87, the third part of the *Encyclopaedia of the Philosophical Sciences*.

[3] *omnis definitio ... periculosa* Latin: in civil law all definitions are hazardous.

tation [*Vorstellung*] of it: the two must also differ in their form and shape. If, however, the representation is not also false in its content, the concept may well be shown to be contained in it and present in essence within it; that is, the representation may be raised to the form of the concept. But it is so far from being the measure and criterion of the concept which is necessary and true for itself that it must rather derive its truth from the concept, and recognize and correct itself with the help of the latter.—But if, on the other hand, the former manner of cognition with its formal definitions, inferences, proofs, and the like has now virtually disappeared, the other mode which has replaced it is a bad substitute: that is, Ideas in general, and hence also the Idea of right and its further determinations, are taken up and asserted in immediate fashion as *facts of consciousness*, and our natural or intensified feelings, our *own heart* and *enthusiasm*, are made the source of right. If this is the most convenient method of all, it is also the least philosophical—not to mention here other aspects of this view, which has immediate relevance [*Beziehung*] to action and not just to cognition. Whereas the first—admittedly formal—method does at least require the *form* of the concept in its definitions and the *form* of *necessary* cognition in its proofs, the mode of immediate consciousness and feeling makes the subjectivity, contingency, and arbitrariness of knowledge into its principle.—A familiarity with the nature of scientific procedure in philosophy, as expounded in philosophical logic, is here presupposed.

§3. Right is in general *positive*[1] (a) through its *form* of having validity within a [particular] state; and this legal authority is the principle which underlies knowledge [*Kenntnis*] of right, i.e., *the positive science of right.* (b) In terms of *content*, this right acquires a positive element (α) through the particular *national character* of a people, its stage of *historical* development, and the whole context of relations governed by *natural necessity*;[2] (β) through the necessity whereby a system of legal right must contain the *application* of the universal concept to the particular and *externally* given characteristics of objects [*Gegenstände*] and instances—an application which is no longer [a matter of] speculative thought and the development of the concept, but [of] subsumption by the understanding;[3] (γ) through the *final* determinations required for *making decisions* in actuality.[4]

[...]

§4. The basis [*Boden*] of right is the *realm of spirit* in general and its precise location and point of departure is the *will*; the will is *free*, so that freedom constitutes its substance and destiny [*Bestimmung*] and the system of right is the realm of actualized freedom, the world of spirit produced from within itself as a second nature.

Addition (H,G). The freedom of the will can best be explained by reference to physical nature. For freedom is just as much a basic determination of the will as weight is a basic determination of bodies. If matter is described as heavy, one might think that this predicate is merely contingent; but this is not so, for nothing in matter is weightless: on the contrary, matter is weight itself. Heaviness constitutes the body and is the body. It is just the same with freedom and the will, for that which is free is the will. Will without freedom is an empty word, just as freedom is actual only as will or as subject. But as for the connection between the will and thought, the following remarks are necessary. Spirit is thought in general, and the human being is distinguished from the animal by thought. But it must not be imagined [*sich vorstellen*] that a human being thinks on the one hand and wills on the other, and that he has thought in one pocket and volition in the other, for this would be an empty representation [*Vorstellung*]. The distinction between thought and will is simply that between theoretical and practical attitudes. But they are not two separate faculties; on the contrary, the will is a particular way of thinking—thinking translating itself into existence [*Dasein*], thinking as the drive to give itself existence. This distinction between thought and will can be expressed as follows. When I think of an object [*Gegenstand*], I make it into a thought and deprive it of its sensuous quality; I make it into something which is essentially and immediately mine. For it is only when I think that I am with myself [*bei mir*], and it is only by comprehending it that I can penetrate an object; it then no longer stands opposed to me, and I have deprived it of that quality of its own which it had for itself in opposition to me. Just as Adam says to Eve: "You are flesh of my flesh and bone of my bone,"[1] so does spirit say: "This is spirit of my spirit, and its alien character has disappeared." Every representation [*Vorstellung*] is a generalization, and this is inherent in thought. To generalize something means to think it. "I" is thought and likewise the universal. When I say "I," I leave out of account every particularity such as my character, temperament, knowledge [*Kenntnisse*], and age. "I" is totally empty; it is merely a point—simple, yet active in this simplicity. The colorful canvas of the world is before me; I stand opposed to it and in this [theoretical] attitude I overcome [*aufhebe*][2] its opposition and make its content my own. "I" is at home in the world when it knows it, and even more so when it has comprehended it. So much for the theoretical attitude. The practical attitude, on the other hand, begins with thought, with the "I" itself, and seems at first to be opposed [to the world] because it immediately sets up a separation. In so far as I am practical or active, i.e., in so far as I act, I determine myself, and to determine myself means precisely to posit a difference. But these differences which I posit are nevertheless also mine, the determinations apply to me, and the ends to which I am impelled belong to me. Now even if I let go of these determinations and differences, i.e., if I posit them in the so-called external world, they still remain mine: they are what I have done or made, and they bear the imprint of my mind [*Geist*]. This, then, is the distinction between theoretical and practical attitudes; the relationship between them must now be described. The theoretical is essentially contained within the practical; the idea [*Vorstellung*] that the two are separate must be rejected, for one cannot have a will without intelligence. On the contrary, the will contains the theoretical within itself. The will determines itself, and this determination is primarily of an inward nature, for what I will I represent to myself as my object [*Gegenstand*]. The animal acts by instinct, it is impelled by something inward and is therefore also practical; but it has no will, because it does not represent to itself what it desires. It is equally impossible to adopt a theoretical attitude or to think without a will, for in thinking we are necessarily active. The content of what is thought certainly takes on the form of being; but this being is something mediated, something posited by our activity. These distinct attitudes are therefore inseparable: they are one and the same thing, and both moments can be found in every activity, of thinking and willing alike.

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[1] *positive* Positive law is law that is actually in force in a state.

[2] *through the particular ... necessity* I.e., each state will develop distinctive laws to reflect its particular culture and history.

[3] *through the necessity ... understanding* I.e., law becomes modified as it comes to be applied to situations that do not quite fit its original mold.

[4] *through ... actuality* I.e., law is not simply a matter of theory but also of practice. Officials and judges have to decide how the general rules are to be applied.

[...]

§5. The will contains (α) the element of *pure indeterminacy*[3] or of the "I"'s pure reflection into itself, in which every limitation, every content, whether present immediately through nature, through needs, desires, and drives, or given and determined in some other way, is dissolved; this is the limitless infinity of *absolute abstraction* or *universality*, the pure thinking of oneself.

Those who regard thinking as a particular and distinct *faculty*, divorced from the will as an equally distinct *faculty*, and who in addition even consider that thinking is prejudicial to the will—especially the good will—show from the very outset that they are totally ignorant of the nature of the will (a remark which we shall often have occasion to make on this same subject).—Only *one aspect* of the will is defined here—namely this *absolute possibility* of *abstracting* from every determination in which I find myself or which I have posited in myself, the flight from every content as a limitation. If the will determines itself in this way, or if representational thought [*die Vorstellung*] considers this aspect in itself [*für sich*] as freedom and holds fast to it, this is *negative* freedom or the freedom of the understanding.—This is the freedom of the void, which is raised to the status of an actual shape and passion. If it remains purely theoretical, it becomes in the religious realm the Hindu fanaticism of pure contemplation; but if it turns to actuality it becomes in the realm of both politics and religion the fanaticism of destruction, demolishing the whole existing social order, eliminating all individuals regarded as suspect by a given order, and annihilating any organization which attempts to rise up anew.[4] Only in destroying something does this negative will have a feeling of its own existence [*Dasein*]. It may well believe that it wills some positive condition, for instance the condition of universal equality or of universal religious life, but it does not in fact will the positive actuality of this condition, for this at once gives rise to some kind of order, a particularization both of institutions and of individuals; but it is precisely through the annihilation of particularity and of objective determination that the self-consciousness of this negative freedom arises. Thus, whatever such freedom believes [*meint*] that it wills can in itself [*für sich*] be no more than an abstract representation [*Vorstellung*], and its actualization can only be the fury of destruction.

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[1] *You are … bone* See Genesis 2.23: "This at last is bone of my bones and flesh of my flesh."

[2] *overcome* This is the same German term as "supersession" in the selection "Lordship and Bondage" above. The translator sometimes also uses the term "cancel."

[3] *pure indeterminacy* I.e., the will starts from the thought that all options are open, that nothing about the future is yet fully determined.

[4] *the fanaticism of destruction … anew* The reference is to the Reign of Terror during the French Revolution.

Addition (H,G). It is inherent in this element of the will that I am able to free myself from everything, to renounce all ends, and to abstract from everything. The human being alone is able to abandon all things, even his own life: he can commit suicide. The animal cannot do this; it always remains only negative,[1] in a determination which is alien to it and to which it merely grows accustomed. The human being is pure thinking of himself, and only in thinking is he this power to give himself universality, that is, to extinguish all particularity, all determinacy. This negative freedom, or freedom of the understanding is one-sided, but this one-sidedness always contains within itself an essential determination and should therefore not be dismissed; but the defect of the understanding is that it treats a one sided determination as unique and elevates it to supreme status. This form of freedom occurs frequently in history. The Hindus, for example, place the highest value on mere persistence in the knowledge of one's simple identity with oneself, on remaining within this empty space of one's inwardness like colorless light in pure intuition, and on renouncing every activity of life, every end, and every representation [*Vorstellung*]. In this way, the human being becomes *Brahman.* There is no longer any distinction between the finite human being and Brahman; instead, every difference [*Differenz*] has disappeared in this universality. This form [of freedom] appears more concretely in the active fanaticism of both political and religious life. An example of this was the Reign of Terror in the French Revolution, during which all differences of talents and authority were supposed to be cancelled out [*aufgehoben*]. This was a time of trembling and quaking and of intolerance towards everything particular. For fanaticism wills only what is abstract, not what is articulated, so that whenever differences emerge, it finds them incompatible with its own indeterminacy and cancels them [*hebt sie auf*]. This is why the people during the French Revolution, destroyed once more the institutions they had themselves created, because all institutions are incompatible with the abstract self-consciousness of equality.

§6. (β) In the same way, "I" is the transition from undifferentiated indeterminacy to *differentiation, determination*, and the *positing* of a determinacy as a content and object.—This content may further be given by nature, or generated by the concept of spirit. Through this positing of itself as something *determinate*, "I" steps into existence [*Dasein*] in general—the absolute moment of the *finitude* or *particularization* of the "I."[2]

This second moment of *determination* is just as much *negativity* and cancellation [*Aufheben*] as the first—for it is the cancellation of the first abstract negativity.—Just as the particular is in general contained within the universal, so in consequence is this second moment already contained within the first and is merely a *positing* of what the first already is *in itself.* The first moment—that is, the first as it is for itself—is not true infinity or the *concrete* universality of the concept, but only something *determinate* and one-sided. For since it is abstraction from all determinacy, it is itself not *without* determinacy; and the fact that it is abstract and one-sided constitutes its determinacy, deficiency, and finitude. [...]

Addition (H,G). This second moment appears as the opposing one. It is to be apprehended in its universal mode: it belongs to freedom, but does not constitute the whole of freedom. The "I" here emerges from undifferentiated indeterminacy to become differentiated, to posit something determinate as its content and object [*Gegenstand*]. I do not merely will—I will *something.* A will which, as described in the previous paragraph, wills only the abstract universal, wills *nothing* and is therefore not a will at all. The particular [thing] which the will wills is a limitation, for the will, in order to be a will, must in some way limit itself. The fact that the will wills *something* is the limit or negation. Thus particularization is what as a rule is called finitude. Reflective thought usually regards the first moment, namely the indeterminate, as the absolute and higher moment, and conversely regards the limited as a mere negation of this indeterminacy. But this indeterminacy is itself merely a negation with regard to the determinate, to finitude: "I" is this solitude and absolute negation. The indeterminate will is to this extent just as one-sided as that which exists in mere determinacy.

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[1] *The animal ... negative* The animal simply reacts to what is given or alien; it cannot free itself from this "other" to establish its own positive identity.

[2] *In the same way ... "I"* I.e., into the initial indeterminacy created by thought and understanding the will introduces a definite decision, which can either pick out one thing already present in the world or try to create something proposed by thought or spirit.

§7. (γ) The will is the unity of both these moments—*particularity* reflected *into itself* and thereby restored to *universality.* It is *individuality* [*Einzelheit*], the *self-determination* of the "I," in that it posits itself as the negative of itself, that is, as *determinate* and *limited*, and at the same time remains with itself [*bei sich*], that is, in its *identity with itself* and universality; and in this determination, it joins together with itself alone.—"I" determines itself in so far as it is the self-reference of negativity. As this *reference to itself*, it is likewise indifferent to this determinacy; it knows the latter as its own and as *ideal*, as a mere *possibility* by which it is not restricted but in which it finds itself merely because it posits itself in it.—This is the *freedom* of the will, which constitutes the concept or substantiality of the will, its gravity, just as gravity constitutes the substantiality of a body.[1]

Every self-consciousness knows itself as universal, as the possibility of abstracting from everything determinate, and as particular, with a determinate object [*Gegenstand*], content, and end. But these two moments are only abstractions; what is concrete and true (and everything true is concrete) is the universality which has the particular as its opposite, but this particular, through its reflection into itself, has been reconciled [*ausgeglichen*] with the universal. This unity is *individuality*, but not in its immediacy as a single unit—as in our common idea [*Vorstellung*] of individuality—but rather in accordance with the concept of individuality ...; in other words, this individuality is in fact none other than the concept itself.[2] The first two moments—that the will can abstract from everything and that it is *also* determined (by itself or by something else)—are easy to accept and grasp, because they are, in themselves [*für sich*], moments of the understanding and devoid of truth. But it is the third moment, the true and speculative[3] (and everything true, in so far as it is comprehended, can be thought of only speculatively), which the understanding refuses to enter into, because the concept is precisely what the understanding always describes as incomprehensible. The task of proving and explaining in more detail this innermost insight of speculation—that is, infinity as self-referring negativity,[4] this ultimate source of all activity, life, and consciousness—belongs to *logic* as purely speculative philosophy.—The only thing which remains to be noted here is that, when we say that *the will is* universal and that *the will* determines itself, we speak as if the will were already assumed to be a *subject* or *substratum.* But the will is not complete and universal until it is determined, and until this determination is superseded and idealized; it does not become will until it is this self-mediating activity and this return into itself.

Addition (H). What is properly called the will contains both the preceding moments. "I" as such is primarily pure activity, the universal which is with itself [*bei sich*]; but this universal determines itself, and to that extent is no longer with itself but posits itself as an other and ceases to be the universal. Then the third moment is that "I" is with itself in its limitation, in this other; as it determines itself, it nevertheless still remains with itself and does not cease to hold fast to the universal. This, then, is the concrete concept of freedom, whereas the two previous moments have been found to be thoroughly abstract and one-sided. But we already possess this freedom in the form of feeling [*Empfindung*], for example in friendship and love. Here, we are not one-sidedly within ourselves, but willingly limit ourselves with reference to an other, even while knowing ourselves in this limitation as ourselves. In this determinacy, the human being, should not feel determined; on the contrary, he attains his self-awareness only by regarding the other as other. Thus, freedom lies neither in indeterminacy nor in determinacy, but is both at once. The will which limits itself exclusively to a *this* is the will of the stubborn person who considers himself unfree unless he has *this* will. But the will is not tied to something limited; on the contrary, it must proceed further, for the nature of the will is not this one-sidedness and restriction. Freedom is to will something determinate, yet to be with oneself [*bei sich*] in this determinacy and to return once more to the universal.

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[1] *This is the freedom of the will ... body* I.e., the will involves both the abstract indeterminacy of indecision and the particular choice. The choice remains something that emerges within our more general, abstract, ability to think. So each of the first two moments presupposes and requires the other.

[2] *Every self-consciousness ... itself* In his *Logic* Hegel identifies three moments: abstract universality, a particular determination of that universality, and individuality or singularity. The individual is an integrated union of the two previous moments, a kind of totality. So it becomes a new, more concrete, universality. Hegel here refers the reader to what would become §§163–65 in the 3rd edition of *The Encyclopaedia Logic.*

[3] *speculative* Apprehending the unity that binds opposed determinations together. See *The Encyclopaedia Logic* §82.

[4] *infinity as self-referring negativity* Infinity as the ability to transcend any limits, particularly those that are reciprocal opposites and so refer back and forth to each other, and incorporate them into a single self-contained totality.

[...]

§29. *Right* is any existence [Dasein] in general which is the existence of free will. Right is therefore in general freedom, as Idea.[1]

In the Kantian definition [*Bestimmung*] of right (see the introduction to Kant's *Theory of Right* [*Metaphysische Anfangsgründe der Rechtslehre*, 1797]), which is also more widely accepted, the essential element [*Moment*] is "the *limitation* of my freedom or *arbitrary will* in such a way that it may coexist with the arbitrary will of everyone else in accordance with a universal law." On the one hand, this definition contains only a *negative* determination—that of limitation; and on the other hand, the positive [element]—the universal law or so-called "law of reason," the consonance of the arbitrary will of one individual with that of the other—amounts simply to the familiar [principle of] formal identity and the law of contradiction. The definition of right in question embodies the view, especially prevalent since Rousseau, according to which the substantial basis and primary factor is supposed to be not the will as rational will which has being in and for itself or the spirit as *true* spirit, but will and spirit as the *particular* individual, as the will of the single person [*des Einzelnen*] in his distinctive arbitrariness. Once this principle is accepted, the rational can of course appear only as a limitation on the freedom in question, and not as an immanent rationality, but only as an external and formal universal. This view is devoid of any speculative thought and is refuted by the philosophical concept, and has at the same time produced phenomena [*Erscheinungen*] in people's minds and in the actual world whose terrifying nature is matched only by the shallowness of the thoughts on which they are based.

[...]

from *Subdivisions*

§33. In accordance with the stages in the development of the Idea of the will which is free in and for itself, the will is A. *immediate*; its concept is therefore abstract, as that of *personality*, and its *existence* [*Dasein*] is an immediate external thing [*Sache*];—the sphere of *abstract* or *formal right*;[2]

B. reflected from its external existence *into itself*, determined as *subjective individuality* [*Einzelheit*] in opposition to the *universal*—the universal partly as something internal, the *good*, and partly as something external, an *existent world*, with these two aspects of the Idea *mediated* only *through each other*; the Idea in its division or *particular* existence [*Existenz*], *the right of the subjective will* in relation to the right of the world and to the *right* of the Idea—which, however, *has being* only *in itself*;—*the sphere of morality*;[3]

C. the *unity* and *truth* of these two abstract moments—the thought Idea of the good realized in the internally *reflected will* and in the *external world*;—so that freedom, as the *substance*, exists no less as *actuality* and *necessity* than as *subjective* will;—the *Idea* in its universal existence [*Existenz*] in and for itself; [the sphere of] *ethical life*.[4]

But the ethical substance is likewise

(a) *natural* spirit;—the *family*,
(b) in its *division* and *appearance*;—*civil society*,
(c) the *state* as freedom, which is equally universal and objective in the free self-sufficiency of the particular will; this

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[1] *freedom, as Idea* Freedom as involving not only the will to be free, but also what it has actually brought about—the union of what we conceive and what is actually the case.

[2] *immediate … right* Hegel starts by considering individual acts of will isolated or abstracted from any responsibility to the general social context. These involve the appropriation of property and actions that result from such claims to ownership, such as contracts and fraud.

[3] *reflected from … morality* Reflection on the bare formalism of property law leads to the realization that one cannot avoid relying on the subjective moral intentions of the individuals involved. The discussion of morality thus introduces a tension between these intentions and the objective world where actions take place. In this sphere, then, the Idea—which is to be the union of subjective conceiving and objective actuality—becomes internally divided into opposing moments.

[4] *the unity … ethical life* Subjective intentions and objective structures become integrated in the concrete settings of social life: family, the economic order, and government. In these spheres our moral purposes are structured and defined by the roles we play in society, and society itself is constituted and structured by the individuals who conscientiously perform their duties. This integration of the subjective and the objective realms is where freedom comes to be fully actualized.

actual and organic spirit (α) of a people (β) actualizes and reveals itself through the relationship between the particular national spirits (γ) and in world history as the universal world spirit whose *right* is *supreme.*[1]

> […] The subdivisions may … be regarded as a *historical* preview of the parts [of the book], for the various stages must generate themselves from the nature of the content itself as moments in the development of the Idea. Philosophical subdivisions are certainly not an external classification—i.e., an outward classification of a given material based on one or more extraneous principles of organization—but the immanent differentiation of the concept itself.—*Morality* and *ethics*, which are usually regarded as roughly synonymous, are taken here in essentially distinct senses. […]

Addition (H). When we speak here of right, we mean not merely civil right, which is what is usually understood by this term, but also morality, ethics, and world history. These likewise belong here, because the concept brings thoughts together in their true relationship. If it is not to remain abstract, the free will must first give itself an existence [*Dasein*], and the primary sensuous constituents of this existence are things [*Sachen*], i.e., external objects [*Dinge*]. This first mode of freedom is the one which we should know as *property*, the sphere of formal and abstract right; property in its mediated shape as *contract*, and right in its infringement as *crime* and *punishment*, are no less a part of this sphere. The freedom which we have here is what we call the person, that is, the subject which is free, and indeed free for itself, and which gives itself an existence [*Dasein*] in the realm of things [*Sachen*]. But this mere immediacy of existence is not in keeping with freedom, and the negation[2] of this determination is the sphere of *morality.* I am then free no longer merely in this immediate thing [*Sache*], but also in a superseded immediacy[3]—that is, I am free in myself, in the subjective realm. In this sphere, everything depends on my insight, my intention, and the end I pursue, because externality is now regarded as indifferent. But the good, which is here the universal end should not simply remain with me; on the contrary, it should be realized. For the subjective will demands that what is internal to it—that is, its end—should attain an external existence [*Dasein*], and hence that the good should be accomplished in external existence [*Existenz*]. Morality and the earlier moment of formal right are both abstractions whose truth is attained only in *ethical life.* Thus, ethical life is the unity of the will in its concept and the will of the individual [*des Einzelnen*], that is, of the subject. Its initial existence [*Dasein*] is again something natural, in the form of love and feeling [*Empfindung*]—the *family*; here, the individual [*das Individuum*] has overcome [*aufgehoben*] his personal aloofness and finds himself and his consciousness within a whole. But at the next stage, we witness the disappearance of ethical life in its proper sense and of substantial unity: the family becomes fragmented and its members behave towards each other as self-sufficient individuals, for they are held together only by the bond of mutual need. This stage of *civil society* has often been equated with the state. But the *state* emerges only at the third stage, that of ethical life and spirit, at which the momentous unification of self-sufficient individuality with universal substantiality takes place. The right of the state is therefore superior to the other stages: it is freedom in its most concrete shape, which is subordinate only to the supreme absolute truth of the world spirit.

from *Part One: Abstract Right*

[…]

§35. The *universality* of this will which is free for itself is formal universality, i.e., the will's self-conscious (but otherwise contentless) and *simple* reference to itself in its individuality [*Einzelheit*]; to this extent, the subject is a *person.* It is inherent in *personality* that, as *this* person, I am completely determined in all respects (in my inner arbitrary will, drive, and desire, as well as in relation to my immediate external existence [*Dasein*]), and that I am finite, yet totally pure self-reference, and thus know myself in my finitude as *infinite, universal*, and *free.*

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[1] *But the ethical … supreme* The third stage of ethical life can itself be divided into three consecutive stages: in the family, personal commitments to each other create a tightly knit bond; in civil or economic society, individuals in their diversity interact to produce a social order structured by conventions and the division of labor; in the state, governing structures take account of the economic institutions of civil society but the whole is also held together by personal bonds of patriotism—diversity and common purpose are integrated into a single complex structure. Even the state is not the final stage, for there is also the realm of international relations and (finally) the comprehensive overview provided by human history, in which various states and cultures emerge and disappear.

[2] *negation* Other or opposite.

[3] *superseded immediacy* The simple facts of property and ownership are canceled but also preserved within a more reflective and mediated perspective—that of subjective intention or morality.

> Personality begins only at that point where the subject has not merely a consciousness of itself in general as concrete and in some way determined, but a consciousness of itself as a completely abstract "I," in which all concrete limitation and validity are negated and invalidated. In the personality, therefore, there is knowledge of the self as an object [Gegenstand], but as an object raised by thought to simple infinity[1] and hence purely identical with itself. In so far as they have not yet arrived at this pure thought and knowledge of themselves, individuals and peoples do not yet have a personality. The spirit which has being in and for itself[2] differs in this respect from spirit in its appearance, for in the same determination in which the latter is only self-consciousness—consciousness of itself, but only in accordance with the natural will and its as yet external oppositions [...][3]—the former has itself, as abstract and free "I," as its object and end and is consequently a person.

Addition (H). The will which has being for itself, or the abstract will, is the person. The highest achievement of a human being is to be a person; yet in spite of this, the simple abstraction "person" has something contemptuous about it, even as an expression. The person is essentially different from the subject, for the subject is only the possibility of personality, since any living thing whatever is a subject. A person is therefore a subject which is aware of this subjectivity, for as a person, I am completely for myself: the person is the individuality of freedom in pure being-for-itself.[4] As *this* person, I know myself as free in myself, and I can abstract from everything, since nothing confronts me but pure personality. And yet as *this* person I am something wholly determinate: I am of such an age, of such a height, in this room and whatever other particular things [*Partikularitäten*] I happen to be. Personality is thus at the same time the sublime and the wholly ordinary; it contains this unity of the infinite and the utterly finite, of the determinate boundary and the completely unbounded. The supreme achievement of the person is to support this contradiction, which nothing in the natural realm contains or could endure.

§36. 1. Personality contains in general the capacity for right[5] and constitutes the concept and the (itself abstract) basis of abstract and hence *formal* right. The commandment of right is therefore: *be a person and respect others as persons.*

§37. 2. The *particularity* of the will is indeed a moment within the entire consciousness of the will [...], but it is not yet contained in the abstract personality as such. Thus, although it is present—as desire, need, drives, contingent preference, etc.—it is still different from personality, from the determination of freedom.—In formal right, therefore, it is not a question of particular interests, of my advantage or welfare, and just as little of the particular ground by which my will is determined, i.e., of my insight and intention.[6]

Addition (H). Since particularity, in the person, is not yet present as freedom, everything which depends on particularity is here a *matter of indifference.* If someone is interested only in his formal right, this may be pure stubbornness, such as is often encountered in emotionally limited people [*einem beschränkten Herzen und Gemüte*]; for uncultured people insist most strongly on their rights, whereas those of nobler mind seek to discover what other aspects there are to the matter [*Sache*] in question. Thus abstract right is initially a mere possibility, and in that respect is formal in character as compared with the whole extent of the relationship. Consequently, a determination of right gives me a warrant, but it is not absolutely necessary that I should pursue my rights, because this is only one aspect of the whole relationship. For possibility is being, which also has the significance of not being.

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[1] *infinity* Self-contained dynamic that regards any limitations as moments of its own life.

[2] *being in and for itself* Something that is implicit, yet also exists on its own account.

[3] *self-consciousness ... oppositions* See "Lordship and Bondage" above.

[4] *being-for-itself* Self-contained being.

[5] *Personality ... right* Law presupposes that all those governed by the law be persons—independent and in charge of their own affairs.

[6] *The particularity ... intention* Someone's particular interests and wishes are not part of what is included in "person" as understood in a legal sense. Therefore they cannot be considered part of one's rights.

§38. With reference to *concrete* action and to moral and ethical relations, abstract right is only a *possibility* as compared with the rest of their content, and the determination of right is therefore only a *permission or warrant.* For the same reason [*Grund*] of its abstractness, the necessity of this right is limited to the negative—*not to violate* personality and what ensues from personality. Hence there are only *prohibitions of right*, and the positive form of commandments of right is, in its ultimate content, based on prohibition.

§39. 3. The resolving and *immediate* individuality [*Einzelheit*] of the person relates itself to a nature which it encounters before it. Hence the personality of the will stands in opposition to nature as *subjective.* But since personality within itself is infinite and universal, the limitation of being merely subjective is in contradiction with it and is *null and void.* Personality is that which acts to overcome [*aufzuheben*] this limitation and to give itself reality—or, what amounts to the same thing, to posit that existence [*Dasein*] as its own.[1]

§40. Right is primarily that immediate existence [*Dasein*] which freedom, gives itself in an immediate way,

(a) as *possession,* which is *property*; freedom is here the freedom of the abstract will *in general,* or, by the same token, the freedom *of an individual* person who relates only to himself.

(b) A person, in distinguishing himself from himself, relates himself to *another person*, and indeed it is only as owners of property that the two have existence [*Dasein*] for each other. Their identity *in themselves* acquires existence [*Existenz*] through the transference of the property of the one to the other by common will and with due respect of the rights of both—that is, by *contract.*

(c) The will which, as in (a), is differentiated within itself in its self-reference rather than distinguished from another person as in (b), is, as a *particular* will, different from and opposed to itself as the will *which has being in and for itself.* This constitutes *wrong* and *crime.*[2]

The division of right into the right of *persons and things* [*Sachen*] and the right of *actions* [Aktionen], like the many other divisions of this kind, aims primarily to impose an external order upon the mass of disorganized material before us. The chief characteristic of this division is the confused way in which it jumbles together rights which presuppose substantial relations, such as family and state, with those which refer only to abstract personality.... Here, it is clear at least that *personality* alone confers a right to *things,* and consequently that personal right is in essence a *right of things*—"thing" [*Sache*] being understood in its general sense as everything external to my freedom, including even my body and my life. This right of things is the right of *personality* as *such.* [...]

[...]

Section 2: Contract

§72. That [kind of] property of which the *aspect* of existence [*Dasein*] or *externality* is no longer merely a thing [*Sache*] but contains the moment of a will (and hence the will of another person) comes into being through *contract.*[3] This is the process in which the following contradiction is represented and mediated: I *am* and *remain* an owner of property, having being for myself and excluding the will of another; only in so far as, in identifying my will with that of another, I *cease* to be an owner of property.

§73. It is not only *possible* for me to dispose of an item of property as an external thing [*Sache*] [...]—I am also *compelled* by the concept to dispose of it as property in order that *my* will, as *existent,* may become objective [*gegenständlich*] to me.[4] But according to this moment, my will, as externalized, is at the same time *another* will. Hence this moment, in which this necessity of the concept is real, is *the unity* of different wills, which therefore relinquish their difference and distinctiveness. Yet it is also implicit (at this stage) in this identity of different wills that each of them is and remains a will distinctive for itself and *not identical* with the other.

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[1] *Personality ... own* The pure concept of being a person is not enough; one has to put it into practice to show what it really is.

[2] *The will ... crime* While as a person one wills that property rights in general be respected, one may also will to violate rights to accomplish one's own particular interests. This is where crime comes in.

[3] *That [kind of] property ... contract* My ownership of property needs to be recognized by others. This recognition acquires a public existence when I am able to transfer ownership to another, while assuming ownership of something belonging to her. This happens when contracts are signed and executed.

[4] *in order ... me* When I dispose of property I demonstrate to myself that my will is not inextricably bound up with my possessions, but has power over them.

§74. This relationship is therefore the mediation of an identical will within the absolute distinction between owners of property who have being for themselves.[1] It contains the implication that each party, in accordance with his own and the other party's will, *ceases* to be an owner of property, *remains* one, and *becomes* one. This is the mediation of the will to give up a property (an individual property) and the will to accept such a property (and hence the property of someone else). The context of this mediation is one of identity, in that the one volition comes to a decision only in so far as the other volition is present.

§75. Since the two contracting parties relate to each other as *immediate* self sufficient persons, it follows that (α) the contract is the product of the *arbitrary will*; (β) the identical will which comes into existence [*Dasein*] through the contract is only *a will posited by the contracting parties*, hence only a *common* will, not a will which is universal in and for itself;[2] (γ) the object [*Gegenstand*] of the contract is an *individual external* thing [*Sache*], for only things of this kind are subject to the purely arbitrary will of the contracting parties to alienate them [...].

> *Marriage* cannot therefore be subsumed under the concept of contract; this subsumption—which can only be described as disgraceful—is proposed in Kant's Metaphysical Elements of the Theory of Right *[Metaphysische Anfangsgründe der Rechtslehre]*.—The nature of the *state* has just as little to do with the relationship of contract, whether it is assumed that the state is a contract of all with all, or a contract of all with the sovereign and the government.[3]—The intrusion of this relationship, and of relationships concerning private property in general, into political relationships has created the greatest confusion in constitutional law [*Staatsrecht*] and in actuality. Just as in earlier times political rights and duties were regarded as, and declared to be, the immediate private property of particular individuals in opposition to the right of the sovereign and the state, so also in more recent times have the rights of the sovereign and the state been regarded as objects of contract and based on a contract, as the result merely of a *common* will and proceeding from the arbitrary will of those who have combined to form a state.—However different these two points of view may be, in one respect, they do have this in common: they have transferred the determinations of private property to a sphere of a totally different and higher nature. (See below, "Ethical Life" and "The State.")

Addition (H). In recent times, it has become very popular to regard the state as a contract of all with all. Everyone, we are told, makes a contract with the sovereign, and he in turn with the subjects. This view is the result of superficial thinking, which envisages only a *single* unity of different wills. But in a contract, there are two identical wills, both of which are persons and wish to remain owners of property; the contract accordingly, originates in the arbitrary will of the person—an origin which marriage also has in common with contract. But in the case of the state, this is different from the outset, for the arbitrary will of individuals [*Individuen*] is not in a position to break away from the state, because the individual is already by nature a citizen of it. It is the rational destiny [*Bestimmung*] of human beings to live within a state, and even if no state is yet present, reason requires that one be established. The state itself must give permission for individuals [*Einzelne*] to enter or leave it, so that this does not depend on the arbitrary will of the individuals concerned; consequently the state is not based on contract, which presupposes an arbitrary will. It is false to say that the arbitrary will of everyone is capable of founding a state: on the contrary, it is absolutely necessary for each individual to live within the state. The great advance made by the state in modern times is that it remains an end in and for itself, and that each individual may no longer base his relationship [*Beziehung*] to it on his own private stipulation, as was the case in the Middle Ages.

[...]

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[1] *the mediation ... themselves* In a contract each party must be independent and act freely; but at the same time the act is a single act where the two wills are willing the same thing.

[2] *only a common will ... itself* Hegel draws a distinction between an agreement between two contracting agents, and the will of a corporate body or state, which is a will encompassing the purposes of the social organism as a whole and is thus universal both implicitly and on its own account.

[3] *The nature ... government* Hegel is referring to social contract theories, such as those of Hobbes, Locke, Rousseau, Kant, and Fichte.

from *Part Three: Ethical Life*

§145. The fact that the ethical sphere[1] is the *system* of these determinations of the Idea[2] constitutes its *rationality*. In this way, the ethical sphere is freedom, or the will which has being in and for itself as objectivity, as a circle of necessity whose moments are the *ethical powers* which govern the lives of individuals. In these individuals—who are accidental to them—these powers have their representation [*Vorstellung*], phenomenal shape [*erscheinende Gestalt*], and actuality.

Addition (H). Since the determinations of ethics constitute the concept of freedom, they are the substantiality or universal essence of individuals, who are related to them merely as accidents.[3] Whether the individual exists or not is a matter of indifference to objective ethical life, which alone has permanence and is the power by which the lives of individuals are governed. Ethical life has therefore been represented to nations as eternal justice, or as gods who have being in and for themselves, and in relation to whom the vain pursuits of individuals are merely a play of the waves.

[...]

§147. On the other hand, [the ethical substance and its laws and powers] are not something *alien* to the subject. On the contrary, the subject bears *spiritual witness* to them as to *its own essence*, in which it has its *self-awareness* [*Selbstgefühl*] and lives as in its element which is not distinct from itself—a relationship which is immediate and closer to identity than even [a relationship of] *faith* or *trust*.

> Faith and trust arise with the emergence of reflection, and they presuppose representations and distinctions [*Vorstellung und Unterschied*]. For example, to believe in pagan religion and to be a pagan are two different things. That relationship—or rather, that relationless identity—in which the ethical is the actual living principle [*Lebendigkeit*] of self-consciousness, may indeed turn into a relationship of faith and conviction or a relationship mediated by *further reflection*, into insight grounded on reasons, which may also begin with certain particular ends, interests, and considerations, with hope or fear, or with historical presuppositions. But *adequate cognition* of this identity belongs to conceptual thought [*dem denkenden Begriffe*].

§148. All these substantial determinations are *duties* which are binding on the will of the individual; for the individual, as subjective and inherently undetermined—or determined in a particular way—is distinct from them and *consequently stands in a relationship to them* as to his own substantial being.

> The ethical *theory of duties* [*Pflichtenlehre*]—i.e., in its *objective* sense, not as supposedly comprehended in the empty principle of moral subjectivity, which in fact determines nothing [...]—therefore consists in that systematic development of the circle of ethical necessity which follows here in *Part Three* of the work. The difference between its presentation here and the form of a *theory of duties* lies solely in the fact that the following account merely shows that ethical determinations are necessary relations, and does not proceed to add in every case "this determination is therefore a duty for human beings."—A theory of duties, unless it forms part of philosophical science, will take its material from existing relations and show its connection with one's own ideas [*Vorstellungen*] and with commonly encountered principles and thoughts, ends, drives, feelings [*Empfindungen*], etc.; and as reasons in favor of each duty, it may also adduce the further consequences which this duty may have with reference to other ethical relations and to welfare and opinion. But an immanent and consistent theory of duties can be nothing other than the development of *those relations* which are necessitated by the Idea of freedom, and are therefore *actual* in their entirety, within the state.

§149. A binding duty can appear as a *limitation* only in relation to indeterminate subjectivity or abstract freedom, and to the drives of the natural will or of the moral will which arbitrarily determines its own indeterminate good. The individual, however, finds his *liberation* in duty. On the one hand, he is liberated from his dependence on mere natural drives, and from the burden he labors under as a particular subject in his moral reflections on obligation and desire; and on the other hand, he is liberated from that indeterminate subjectivity which does not attain existence [*Dasein*] or the objective determinacy of action, but remains *within itself* and has no actuality. In duty, the individual liberates himself so as to attain substantial freedom.

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[1] *ethical sphere* This includes not only the state, but also the family, economic institutions such as corporations, and legal institutions such as civil courts.

[2] *the system ... Idea* In the previous § Hegel has referred to the customs and laws of society which make up the structure of a variety of institutions and has given each of them a determinate character. They can only function as the willed intentions of many individuals, yet they have an objective life of their own. They thus integrate subjectivity and objectivity, and the result can be called an Idea.

[3] *individuals ... accidents* Social structures carry on while individual people come and go.

Addition (H). Duty places limits only on the arbitrary will of subjectivity and clashes only with that abstract good to which subjectivity clings. When people say that they want to be free, this means primarily only that they want to be free in an abstract sense, and every determination and division [*Gliederung*] within the state is regarded as a limitation of that freedom. To this extent, duty is not a limitation of freedom, but only of freedom in the abstract, that is, of unfreedom: it is the attainment of essential being, the acquisition of affirmative freedom.

[...]

§151. But if it is simply *identical* with the actuality of individuals, the ethical [*das Sittliche*], as their general mode of behavior, appears as *custom* [*Sitte*]; and the *habit* of the ethical appears as a *second nature* which takes the place of the original and purely natural will and is the all-pervading soul, significance, and actuality of individual existence [*Dasein*]. It is *spirit* living and present as a world, and only thus does the substance of spirit begin to exist as spirit.

Addition (H,G). Just as nature has its laws, and as animals, trees, and the sun obey their law, so is custom the law appropriate to the spirit of freedom. Custom is what [abstract] right and morality have not yet reached, namely spirit. For in right, particularity is not yet that of the concept, but only of the natural will. Similarly, from the point of view of morality, self-consciousness is not yet spiritual consciousness. At this stage, it is merely a question of the value of the subject in itself—that is, the subject which determines itself in accordance with good as opposed to evil still has the form of arbitrary will. Here, on the other hand, at the level of ethics, the will is present as the will of spirit and has a substantial content which is in conformity with itself. Education [*Pädagogik*] is the art of making human beings ethical: it considers them as natural beings and shows them how they can be reborn, and how their original nature can be transformed into a second, spiritual nature so that this spirituality becomes *habitual* to them. In habit, the opposition between the natural and the subjective will disappears, and the resistance of the subject is broken; to this extent, habit is part of ethics, just as it is part of philosophical thought, since the latter requires that the mind [*der Geist*] should be trained to resist arbitrary fancies and that these should be destroyed and overcome to clear the way for rational thought. Human beings even die as a result of habit—that is, if they have become totally habituated to life and mentally [*geistig*] and physically blunted, and the opposition between subjective consciousness and mental activity has disappeared. For they are active only in so far as they have not yet attained something and wish to assert themselves and show what they can do in pursuit of it. Once this is accomplished, their activity and vitality disappear, and the loss of interest which ensues is mental or physical death.

[...]

Section 3: The State

§257. The state is the actuality of the ethical Idea—the ethical spirit as substantial will, *manifest* and clear to itself, which thinks and knows itself and implements what it knows in so far as it knows it. It has its immediate existence [*Existenz*] in *custom* and its mediate existence in the *self-consciousness* of the individual [*des Einzelnen*], in the individual's knowledge and activity, just as self-consciousness, by virtue of its disposition, has its *substantial freedom* in the state as its essence, its end, and the product of its activity.

[...]

§258. The state is the actuality of the substantial *will*, an actuality which it possesses in the particular *self-consciousness* when this has been raised to its universality;[1] as such, it is the *rational*[2] *in and for itself. This substantial unity is an ab-*

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[1] *the particular ... universality* As citizens individuals implicitly accept the actions of the state as their own actions, whether they approve of them or not; so their will is no longer concerned simply with their particular interests, but with the well-being of the whole social order.

[2] *rational* Reason, for Hegel, involves the move from a starting point over to its opposite and back again; then grasping the double transition as a single complex totality. The state embodies this because individual wills interact to create a structure of social and economic relations; and the resulting structure becomes a single complex entity that has a life of its own.

solute and unmoved end in itself, and in it, freedom enters into its highest right, just as this ultimate end possesses the highest right in relation to individuals [*die Einzelnen*], whose *highest duty* is to be members of the state.

> If the state is confused with civil society and its determination is equated with the security and protection of property and personal freedom, *the interest of individuals* [*der Einzelnen*] *as such* becomes the ultimate end for which they are united; it also follows from this that membership of the state is an optional matter.—But the relationship of the state to the individual [*Individuum*] is of quite a different kind. Since the state is objective spirit,[1] it is only through being a member of the state that the individual [*Individuum*] himself has objectivity, truth, and ethical life. *Union* as such is itself the true content and end, and the destiny [*Bestimmung*] of individuals [*Individuen*] is to lead a universal life; their further particular satisfaction, activity, and mode of conduct have this substantial and universally valid basis as their point of departure and result.—Considered in the abstract, rationality consists in general in the unity and interpenetration of universality and individuality [*Einzelheit*]. Here, in a concrete sense and in terms of its content, it consists in the unity of objective freedom (i.e., of the universal substantial will[2]) and subjective freedom (as the freedom of individual [*individuellen*] knowledge and of the will in its pursuit of particular ends). And in terms of its form, it therefore consists in self-determining action in accordance with laws and principles based on *thought* and hence *universal*.—This Idea[3] is the being of spirit as necessary and eternal in and for itself.—As far as the Idea of the state itself is concerned, it makes no difference what is or was the *historical* origin of the state in general (or rather of any particular state with its rights and determinations)—whether it first arose out of patriarchal conditions, out of fear or trust, out of corporations etc., or how the basis of its rights has been understood and fixed in the consciousness as divine and positive right or contract, habit, etc. In relation to scientific cognition, which is our sole concern here, these are questions of appearance, and consequently a matter [*Sache*] for history. In so far as the authority of any actual state concerns itself with the question of reasons, these will be derived from the forms of right which are valid within that state.—The philosophical approach deals only with the internal aspect of all this, with the *concept as thought* [*mit dem gedachten Begriffe*]. As far as the search for this concept is concerned, it was the achievement of Rousseau[4] to put forward the *will* as the principle of the state, a principle which has *thought* not only as its form (as with the social instinct, for example, or divine authority) but also as its content, and which is in fact *thinking* itself. But Rousseau considered the will only in the determinate form of the *individual* [*einzelnen*] will (as Fichte[5] subsequently also did) and regarded the universal will not as the will's rationality in and for itself, but only as the *common element* arising out of this individual [*einzelnen*] will *as a conscious will*. The union of individuals [*der Einzelnen*] within the state thus becomes a *contract*,[6] which is accordingly based on their arbitrary will and opinions, and on their express consent given at their own discretion; and the further consequences which follow from this, and which relate merely to the understanding, destroy the divine [element] which has being in and for itself and its absolute authority and majesty. Consequently, when these abstractions were invested with power, they afforded the tremendous spectacle, for the first time we know of in human history, of the overthrow of all existing and given conditions

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[1] *objective spirit* Spirit is self-conscious life; objective spirit is Hegel's name for the public social reality that is formed when self-conscious individuals act and interact.

[2] *universal substantial will* The willed actions of the state are in essence the actions of the whole social body, and thus are universal; they also remain and continue to be valid through all the accidental changes that might happen to the individuals that make it up, and thus are substantial.

[3] *Idea* Integrating subjective rationality with a rational, public, and objective reality.

[4] *Rousseau* Jean-Jacques Rousseau (1712–78), author of *The Social Contract* (1762) (included in this volume).

[5] *Fichte* Johann Gottlieb Fichte (1762–1814), German idealist philosopher and author of *Science of Rights* (1796), which Hegel refers to here.

[6] *contract* See above §§72–75.

within an actual major state[1] and the revision of its constitution from first principles and purely in terms of *thought*; the *intention* behind this was to give it what was *supposed* to be a purely *rational* basis. On the other hand, since these were only abstractions divorced from the Idea, they turned the attempt into the most terrible and drastic event.—In opposition to the principle of the individual will, we should remember the fundamental concept according to which the objective will is rational in itself, i.e., in its *concept*, whether or not it is recognized by individuals [*Einzelnen*] and willed by them at their discretion—and that its opposite, knowledge and volition, the subjectivity of freedom (which is the *sole* content of the principle of the individual will) embodies only *one* (consequently one-sided) moment of the *Idea of the rational* will, which is rational solely because it has being both *in itself* and *for itself*.—Also at variance with the thought that the state may be apprehended by cognition as something rational for itself is [the practice of] taking the *externality* of appearance and the contingencies of want, need of protection, strength, wealth, etc. not as moments of historical development, but as the *substance* of the state. Here, the principle of cognition is once again that of separate individuality [*die Einzelheit der Individuen*], but not so much the *thought* of this individuality as the converse of this, namely empirical individuality with all its contingent qualities of strength and weakness, wealth and poverty, etc. [...]

Addition (G). The state in and for itself is the ethical whole, the actualization of freedom, and it is the absolute end of reason that freedom should be actual. The state is the spirit which is present in the world and which *consciously* realizes itself therein, whereas in nature it actualizes itself only as the other of itself, as dormant spirit. Only when it is present in consciousness, knowing itself as an existent object [*Gegenstand*], is it the state. Any discussion of freedom must begin not with individuality [*Einzelheit*] or the individual self-consciousness, but only with the essence of self-consciousness; for whether human beings know it or not, this essence realizes itself as a self-sufficient power of which single individuals [*die einzelnen Individuen*] are only moments. The state consists in the march of God[2] in the world, and its basis is the power of reason actualizing itself as will. In considering the Idea of the state, we must not have any particular states or particular institutions in mind; instead, we should consider the Idea, this actual God, in its own right [*für sich*]. Any state, even if we pronounce it bad in the light of our own principles, and even if we discover this or that defect in it, invariably has the essential moments of its existence [*Existenz*] within itself (provided it is one of the more advanced states of our time). But since it is easier to discover deficiencies than to comprehend the affirmative, one may easily fall into the mistake of overlooking the inner organism of the state in favor of individual [*einzelne*] aspects. The state is not a work of art; it exists in the world, and hence in the sphere of arbitrariness, contingency, and error, and bad behavior may disfigure it in many respects. But the ugliest man, the criminal, the invalid, or the cripple is still a living human being; the affirmative aspect—life—survives [*besteht*] in spite of such deficiencies, and it is with this affirmative aspect that we are here concerned.

§259. The Idea of the state (a) has *immediate* actuality and is the individual state as a self-related organism—the *constitution* or *constitutional law* [*inneres Staatsrecht*];
(b) passes over into the *relationship* of the individual state to other states—*international law* [äußeres *Staatsrecht*];
(c) is the universal Idea as a *genus* [*Gattung*][3] and as an absolute power in relation to individual states—the spirit which gives itself its actuality in the process of *world history*.

Addition (G). The state as actual is essentially an individual state, and beyond that a particular state. Individuality should be distinguished from particularity; it is a moment within the very Idea of the state, whereas particularity belongs to history. States as such are independent of one another, and their relationship can consequently only be an external one, so that there must be a third factor above them to link them together. This third factor is in fact the spirit which gives itself actuality in world history and is the absolute judge of states. Admittedly, several states may form a league and sit in judgment, as it were, on other states, or they may enter into alliances (like the Holy Alliance,[1] for example), but these are always purely relative and limited, like [the ideal of] perpetual peace. The one and only absolute judge which always asserts its authority over the particular is the spirit which has being in and for itself, and which reveals itself as the universal and as the active genus in world history.

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[1] *the overthrow ... state* The French Revolution.

[2] *God* For Hegel, "God" names the ultimate rationality that governs the universe. The state, as the form rationality takes in human society (for all of its inadequacies), is thus the form God assumes in human history.

[3] *universal Idea ... genus* The panorama of world history integrates into one totality all the interactions of particular states over the ages, and is thus the genus under which they all serve as species.

A. CONSTITUTIONAL LAW

[...]

§268. The political *disposition*, i.e., *patriotism* in general, is certainty based on *truth*[2] *(whereas merely subjective certainty does not originate in truth*, but is only opinion) and a volition which has become *habitual*. As such, it is merely a consequence of the institutions within the state, a consequence in which rationality is *actually* present, just as rationality receives its practical application through action in conformity with the state's institutions.—This disposition is in general one of *trust* (which may pass over into more or less educated insight), or the consciousness that my substantial and particular interest is preserved and contained in the interest and end of an other (in this case, the state), and in the latter's relation to me as an individual [*als Einzelnem*]. As a result, this other immediately ceases to be another for me, and in my consciousness of this, I am free.[3]

> Patriotism is frequently understood to mean only a willingness to perform *extraordinary* sacrifices and actions. But in essence, it is that disposition which, in the normal conditions and circumstances of life, habitually knows that the community is the substantial basis and end. It is this same consciousness, tried and tested in all circumstances of ordinary life, which underlies the willingness to make extraordinary efforts. But just as human beings often prefer to be guided by magnanimity instead of by right, so also do they readily convince themselves that they possess this extraordinary patriotism in order to exempt themselves from the genuine disposition, or to excuse their lack of it.—Furthermore, if we take this disposition to be something which can originate independently [*für sich*] and arise out of subjective representations [*Vorstellungen*] and thoughts, we are confusing it with opinion; for in this interpretation, it is deprived of its true ground, i.e., objective reality.[4]

Addition (H). Uneducated people delight in argument [*Räsonieren*] and fault-finding, for it is easy to find fault, but difficult to recognize the good and its inner necessity. Education in its early stages always begins with fault-finding, but when it is complete, it sees the positive element in everything. In religion, it is equally easy to say that this or that is superstition, but it is infinitely more difficult to comprehend the truth which it contains. Thus people's apparent political disposition should be distinguished from what they genuinely will; for inwardly, they in fact will the thing [*Sache*], but they fasten on to details and delight in the vanity of claiming superior insight. They trust that the state will continue to exist [*bestehen*] and that particular interests can be fulfilled within it alone; but habit blinds us to the basis of our entire existence [*Existenz*]. It does not occur to someone who walks the streets in safety at night that this might be otherwise, for this habit of [living in] safety has become second nature, and we scarcely stop to think that it is solely the effect of particular institutions. Representational thought often imagines that the state is held together by force; but what holds it together is simply the basic sense of order which everyone possesses.

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[1] *Holy Alliance* Alliance among Austria, Russia, and Prussia after the fall of Napoleon.

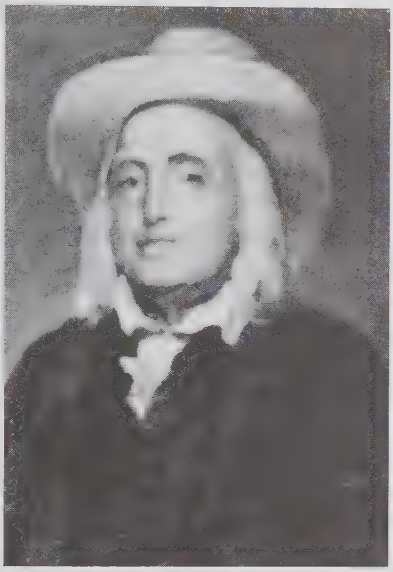
[2] *The political ... truth* The personal commitment of patriotism is based on the real relations of custom and culture that integrate a community into a state. Since these relations contribute to the character and development of citizens, they constitute the underlying truth of their spiritual life.

[3] *ceases to be another ... free* Once I recognize the role the whole social structure plays in constituting my makeup, I no longer regard the state in which I live as something alien to me. By accepting my position and status within this complex, my actions become genuinely free: determined solely by my own volition.

[4] *Furthermore ... reality* Since genuine patriotism is our sense of belonging to our community, it is not something we arbitrarily assume or discard. When we think that we can decide to be patriotic or not, we are simply giving way to our subjective feelings, and articulating arbitrary opinions.

JEREMY BENTHAM
(1748 – 1832)

ONE OF THE MOST ENDURINGLY INFLUENTIAL THEORIES in both moral philosophy and economics is utilitarianism. The basis of the theory, put most simply, is that actions should be judged based on their consequences and that the actions that result in the greatest amount of pleasure or happiness are best, while those that result in the greatest amount of harm or pain are worst. Utilitarian (or more broadly, consequentialist) thinking is one of the dominant approaches in current philosophical discussions of morality. It also continues to be fundamental to discussions of policies related to economic distribution. Jeremy Bentham is generally regarded as the first modern Western philosopher to give utilitarian ideas a central place in his thought. He discusses the "principle of utility" at length in both of his best known works, *A Fragment on Government* (1776) and *An Introduction to the Principles of Morals and Legislation* (1789).



Bentham was born in 1748 in London, England. His father was a wealthy, well-educated, politically ambitious lawyer who wanted to ensure that Jeremy, his eldest son, was well prepared for economic and political success in life. Bentham began to read Latin at age three and attended the prestigious Westminster School before being sent to Oxford at age twelve. He received a Bachelor's degree at age fifteen. As his father and grandfather had done, he then studied law, passing the bar in 1769 at age twenty-one. Despite his father's hopes that he would then begin a successful legal career, Bentham decided that he wanted to devote his career to further academic study aimed at finding ways to reform public institutions.

In 1768 Bentham read Joseph Priestley's just-published *The First Principles of Government.* Priestley's ideas—and in particular, his use of the phrase "the greatest happiness for the greatest number"—greatly influenced Bentham in his first formulations of utilitarian ideas in *A Fragment on Government.* He argued, for example, that an assessment of the quality of a legal system should be based on how it contributes to the overall happiness of the members of society.

Bentham's first interest was reform of the penal system. He argued that rehabilitation, not punishment, should be the central feature of the system. Bentham's first book, *A Fragment on Government* critiqued the writings of William Blackstone, the most prominent English legal scholar at the time.

By 1780 Bentham had finished writing *An Introduction to the Principles of Morals and Legislation* (though the book was not actually published until 1789). In this work he elaborates and extends his utilitarian arguments to cover all areas of moral philosophy, proposing a "felicific calculus" for evaluating pleasures and pains in terms of intensity, duration, certainty, propinquity, fecundity (or how likely it is to be followed by sensations of the same kind), purity and extent (i.e., the number of people affected). Since Bentham saw human motivation as rooted in seeking pleasures and avoiding pains, the best political and legal systems would help citizens to achieve those goals.

During the last half of Bentham's life he was an extremely active writer, but much of his output was never published in his lifetime. He left voluminous manuscripts, some of which were not published until more than a century after his death. His later writings include a more comprehensive version of his *A Fragment on Government* and work on such varied topics as the relationship between the state and religious institutions, political equality for women, slavery, animal rights, opposition to corporal punishment, and support for tolerance of homosexuality (in the essay "Offences against One's Self," included here); on many of these subjects Bentham's views were far ahead of his time.

Bentham also endeavored to put many of his ideas into practice. He became actively engaged with politicians in England to try to exert influence on legislation. He visited Russia in the 1780s to persuade Catherine the Great to implement his ideas for legal reform. And his efforts to influence the new government of France after the revolution earned him the title of honorary citizen. His *Panopticon Writings* (1787) provided a design for a prison that allowed the jailers to observe all the inmates at any time, all the while preventing them from knowing they were being watched. Bentham extended this idea to hospitals, schools, and other institutions, suggesting that it would increase efficiency and discipline, fostering reform. French philosopher Michel Foucault famously discussed Bentham's design in *Discipline and Punish* (1975) as a means of control and normalization.

Bentham also influenced a great many important scholars of his time. He and Adam Smith engaged in lively public and private correspondence, most notably on interest rates. Bentham's ideas were also central to the education of the son of his secretary, James Mill; John Stuart Mill's *On Liberty* and *Utilitarianism* became texts central to utilitarian philosophy.

In 1828 University College London was founded, in large part as a result of Bentham's advocacy of an expansion of educational opportunities. Upon his death in 1832, Bentham's will stipulated that his body was to be preserved and placed on display at the college. His "auto-icon," as it is called, can still be found there to this day. The College has also honored Bentham's legacy in more traditional ways. Since 1968 they have been working on a project to publish all of Bentham's writings in a single collection. To date twenty-five of the seventy projected volumes have been published.

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An Introduction to the Principles of Morals and Legislation (1780, published 1789)

Chapter 1: Of the Principle of Utility

I. Nature has placed mankind under the governance of two sovereign masters, *pain* and *pleasure*. It is for them alone to point out what we ought to do, as well as to determine what we shall do. On the one hand the standard of right and wrong, on the other the chain of causes and effects, are fastened to their throne. They govern us in all we do, in all we say, in all we think: every effort we can make to throw off our subjection, will serve but to demonstrate and confirm it. In words a man may pretend to abjure their empire: but in reality he will remain subject to it all the while. The *principle of utility*[1] recognizes this subjection, and assumes it for the foundation of that system, the object of which is to rear the fabric of felicity by the hands of reason and of law. Systems which attempt to question it, deal in sounds instead of sense, in caprice instead of reason, in darkness instead of light.

But enough of metaphor and declamation: it is not by such means that moral science is to be improved.

II. The principle of utility is the foundation of the present work: it will be proper therefore at the outset to give an explicit and determinate account of what is meant by it. By the principle[2] of utility is meant that principle which approves or disapproves of every action whatsoever, according to the tendency it appears to have to augment or diminish the happiness of the party whose interest is in question: or, what is the same thing in other words, to promote or to oppose that happiness. I say of every action whatsoever, and therefore not only of every action of a private individual, but of every measure of government.

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[1] *principle of utility* [Bentham's note] To this denomination has of late been added, or substituted, the *greatest happiness* or *greatest felicity* principle: this for shortness, instead of saying at length that principle which states the greatest happiness of all those whose interest is in question, as being the right and proper, and only right and proper and universally desirable, end of human action: of human action in every situation, and in particular in that of a functionary [i.e., *official*] or set of functionaries exercising the powers of Government. The word *utility* does not so clearly point to the ideas of *pleasure* and *pain* as the words *happiness* and *felicity* do: nor does it lead us to the consideration of the *number*, of the interests affected; to the *number*, as being the circumstance, which contributes, in the largest proportion, to the formation of the standard here in question; the *standard of right and wrong*, by which alone the propriety of human conduct, in every situation, can with propriety be tried [i.e., *determined*]. This want [i.e., *lack*] of a sufficiently manifest connection between the ideas of *happiness* and *pleasure* on the one hand, and the idea of *utility* on the other, I have every now and then found operating, and with but too much efficiency, as a bar to the acceptance, that might otherwise have been given, to this principle.

[2] *principle* [Bentham's note] The word *principle* is derived from the Latin *principium*: which seems to be compounded of the two words *primus*, first, or chief, and *cipium* a termination which seems to be derived from *capio*, to take, as in *mancipium, municipium*; to which are analogous, *auceps, forceps*, and others. It is a term of very vague and very extensive signification: it is applied to any thing which is conceived to serve as a foundation or beginning to any series of operations: in some cases, of physical operations; but of mental operations in the present case.

The principle here in question may be taken for an act of the mind; a sentiment; a sentiment of approbation; a sentiment which, when applied to an action, approves of its utility, as that quality of it by which the measure of approbation or disapprobation bestowed upon it ought to be governed.

III. By utility is meant that property in any object, whereby it tends to produce benefit, advantage, pleasure, good, or happiness, (all this in the present case comes to the same thing) or (what comes again to the same thing) to prevent the happening of mischief, pain, evil, or unhappiness to the party whose interest is considered: if that party be the community in general, then the happiness of the community: if a particular individual, then the happiness of that individual.

IV. The interest of the community is one of the most general expressions that can occur in the phraseology of morals: no wonder that the meaning of it is often lost. When it has a meaning, it is this. The community is a fictitious *body*, composed of the individual persons who are considered as constituting as it were its *members*. The interest of the community then is, what?—the sum of the interests of the several members who compose it.

V. It is in vain to talk of the interest of the community, without understanding what is the interest of the individual. A thing is said to promote the interest, or to be *for* the interest, of an individual, when it tends to add to the sum total of his pleasures: or, what comes to the same thing, to diminish the sum total of his pains.

VI. An action then may be said to be conformable to the principle of utility, or, for shortness sake, to utility, (meaning with respect to the community at large) when the tendency it has to augment the happiness of the community is greater than any it has to diminish it.

VII. A measure of government (which is but a particular kind of action, performed by a particular person or persons) may be said to be conformable to or dictated by the principle of utility, when in like manner the tendency which it has to augment the happiness of the community is greater than any which it has to diminish it.

VIII. When an action, or in particular a measure of government, is supposed by a man to be conformable to the principle of utility, it may be convenient, for the purposes of discourse, to imagine a kind of law or dictate, called a law or dictate[1] of utility: and to speak of the action in question, as being conformable to such law or dictate.

IX. A man may be said to be a partisan of the principle of utility, when the approbation or disapprobation he annexes to any action, or to any measure, is determined by and proportioned to the tendency which he conceives it to have to augment or to diminish the happiness of the community: or in other words, to its conformity or unconformity to the laws or dictates of utility.

X. Of an action that is conformable to the principle of utility one may always say either that it is one that ought to be done, or at least that it is not one that ought not to be done. One may say also, that it is right it should be done; at least that it is not wrong it should be done: that it is a right action; at least that it is not a wrong action. When thus interpreted, the words *ought*, and *right* and *wrong* and others of that stamp, have a meaning: when otherwise, they have none.

XI. Has the rectitude of this principle been ever formally contested? It should seem that it had, by those who have not known what they have been meaning. Is it susceptible of any direct proof? it should seem not: for that which is used to prove everything else, cannot itself be proved: a chain of proofs must have their commencement somewhere. To give such proof is as impossible as it is needless.

XII. Not that there is or ever has been that human creature at breathing, however stupid or perverse, who has not on many, perhaps on most occasions of his life, deferred to it. By the natural constitution of the human frame, on most occasions of their lives men in general embrace this principle, without thinking of it: if not for the ordering of their own actions, yet for the trying of their own actions, as well as of those of other men. There have been, at the same time, not many perhaps, even of the most intelligent, who have been disposed to embrace it purely and without reserve. There are even few who have not taken some occasion or other to quarrel with it, either on account of their not understanding always how to apply it, or on account of some prejudice or other which they were afraid to examine into, or could not bear to part with. For such is the stuff that man is made of: in principle and in practice, in a right track and in a wrong one, the rarest of all human qualities is consistency.

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[1] *dictate* Command, guiding principle.

XIII. When a man attempts to combat the principle of utility, it is with reasons drawn, without his being aware of it, from that very principle itself. His arguments, if they prove any thing, prove not that the principle is *wrong*, but that, according to the applications he supposes to be made of it, it is *misapplied*. Is it possible for a man to move the earth? Yes; but he must first find out another earth to stand upon.

XIV. To disprove the propriety of it by arguments is impossible; but, from the causes that have been mentioned, or from some confused or partial view of it, a man may happen to be disposed not to relish it. Where this is the case, if he thinks the settling of his opinions on such a subject worth the trouble, let him take the following steps, and at length, perhaps, he may come to reconcile himself to it.

1. Let him settle with himself, whether he would wish to discard this principle altogether; if so, let him consider what it is that all his reasonings (in matters of politics especially) can amount to?

2. If he would, let him settle with himself, whether he would judge and act without any principle, or whether there is any other he would judge an act by?

3. If there be, let him examine and satisfy himself whether the principle he thinks he has found is really any separate intelligible principle; or whether it be not a mere principle in words, a kind of phrase, which at bottom expresses neither more nor less than the mere averment[1] of his own unfounded sentiments;[2] that is, what in another person he might be apt to call caprice?

4. If he is inclined to think that his own approbation or disapprobation, annexed to the idea of an act, without any regard to its consequences, is a sufficient foundation for him to judge and act upon, let him ask himself whether his sentiment is to be a standard of right and wrong, with respect to every other man, or whether every man's sentiment has the same privilege of being a standard to itself?

5. In the first case, let him ask himself whether his principle is not despotical, and hostile to all the rest of human race?

6. In the second case, whether it is not anarchial, and whether at this rate there are not as many different standards of right and wrong as there are men? and whether even to the same man, the same thing, which is right today, may not (without the least change in its nature) be wrong tomorrow? and whether the same thing is not right and wrong in the same place at the same time? and in either case, whether all argument is not at an end? and whether, when two men have said, "I like this," and "I don't like it," they can (upon such a principle) have any thing more to say?

7. If he should have said to himself, No: for that the sentiment which he proposes as a standard must be grounded on reflection, let him say on what particulars the reflection is to turn? if on particulars having relation to the utility of the act, then let him say whether this is not deserting his own principle, and borrowing assistance from that very one in opposition to which he sets it up: or if not on those particulars, on what other particulars?

8. If he should be for compounding the matter, and adopting his own principle in part, and the principle of utility in part, let him say how far he will adopt it?

9. When he has settled with himself where he will stop, then let him ask himself how he justifies to himself the adopting it so far? and why he will not adopt it any farther?

10. Admitting any other principle than the principle of utility to be a right principle, a principle that it is right for a man to pursue; admitting (what is not true) that the word *right* can have a meaning without reference to utility, let him say whether there is any such thing as a *motive* that a man can have to pursue the dictates of it: if there is, let him say what that motive is, and how it is to be distinguished from those which enforce the dictates of utility: if not, then lastly let him say what it is this other principle can be good for?

[...]

Chapter 4: Value of a Lot of Pleasure or Pain, How to Be Measured

I. Pleasures then, and the avoidance of pains, are the *ends* that the legislator has in view; it behooves him therefore to understand their *value*. Pleasures and pains are the *instruments* he has to work with: it behooves him therefore to understand their force, which is again, in other words, their value.

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[1] *averment* Declaration.

[2] *sentiments* Feelings of approval or disapproval.

II. To a person considered by *himself*, the value of a pleasure or pain considered *by itself*, will be greater or less, according to the four following *circumstances*:[1]

1. Its *intensity*.
2. Its *duration*.
3. Its *certainty* or *uncertainty*.
4. Its *propinquity*[2] or *remoteness*.

III. These are the circumstances which are to be considered in estimating a pleasure or a pain considered each of them by itself. But when the value of any pleasure or pain is considered for the purpose of estimating the tendency of any *act* by which it is produced, there are two other circumstances to be taken into the account; these are,

5. Its *fecundity*, or the chance it has of being followed by sensations of the *same* kind: that is, pleasures, if it be a pleasure: pains, if it be a pain.
6. Its *purity*, or the chance it has of not being followed by sensations of the *opposite* kind: that is, pains, if it be a pleasure: pleasures, if it be a pain.

These two last, however, are in strictness scarcely to be deemed properties of the pleasure or the pain itself; they are not, therefore, in strictness to be taken into the account of the value of that pleasure or that pain. They are in strictness to be deemed properties only of the act, or other event, by which such pleasure or pain has been produced; and accordingly are only to be taken into the account of the tendency of such act or such event.

IV. To a *number* of persons, with reference to each of whom to the value of a pleasure or a pain is considered, it will be greater or less, according to seven circumstances: to wit, the six preceding ones; viz.

1. Its *intensity*.
2. Its *duration*.
3. Its *certainty* or *uncertainty*.
4. Its *propinquity* or *remoteness*.
5. Its *fecundity*.
6. Its *purity*.

And one other; to wit:

7. Its *extent*; that is, the number of persons to whom it *extends*; or (in other words) who are affected by it.

V. To take an exact account then of the general tendency of any act, by which the interests of a community are affected, proceed as follows. Begin with any one person of those whose interests seem most immediately to be affected by it: and take an account,

1. Of the value of each distinguishable *pleasure* which appears to be produced by it in the *first* instance.
2. Of the value of each *pain* which appears to be produced by it in the *first* instance.
3. Of the value of each pleasure which appears to be produced by it *after* the first. This constitutes the *fecundity* of the first *pleasure* and the *impurity* of the first *pain*.
4. Of the value of each *pain* which appears to be produced by it after the first. This constitutes the *fecundity* of the first *pain*, and the *impurity* of the first pleasure.
5. Sum up all the values of all the *pleasures* on the one side, and those of all the pains on the other. The balance, if it be on the side of pleasure, will give the *good* tendency of the act upon the whole, with respect to the interests of that *individual* person; if on the side of pain, the *bad* tendency of it upon the whole.
6. Take an account of the *number* of persons whose interests appear to be concerned; and repeat the above process with respect to each. *Sum up* the numbers expressive of the degrees of *good* tendency, which the act has, with respect to each individual, in regard to whom the tendency of it is

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[1] *four following circumstances* [Bentham's note] These circumstances have since been denominated *elements* or *dimensions* of *value* in a pleasure or a pain.

Not long after the publication of the first edition, the following memoriter [*connected with memorizing*] verses were framed, in the view of lodging more effectually, in the memory, these points, on which the whole fabric of morals and legislation may be seen to rest.

Intense, long, certain, speedy, fruitful, pure—
Such marks in *pleasures* and in *pains* endure.
Such pleasures seek if *private* be thy end:
If it be *public*, wide let them *extend*
Such *pains* avoid, whichever be thy view:
If pains *must* come, let them *extend* to few.

[2] *propinquity* Closeness.

good upon the whole: do this again with respect to each individual, in regard to whom the tendency of it is *good* upon the whole: do this again with respect to each individual, in regard to whom the tendency of it is *bad* upon the whole. Take the *balance* which if on the side of *pleasure*, will give the general *good tendency* of the act, with respect to the total number or community of individuals concerned; if on the side of pain, the general *evil tendency*, with respect to the same community.

VI. It is not to be expected that this process should be strictly pursued previously to every moral judgment, or to every legislative or judicial operation. It may, however, be always kept in view: and as near as the process actually pursued on these occasions approaches to it, so near will such process approach to the character of an exact one.

VII. The same process is alike applicable to pleasure and pain, in whatever shape they appear: and by whatever denomination they are distinguished: to pleasure, whether it be called *good* (which is properly the cause or instrument of pleasure) or *profit* (which is distant pleasure, or the cause or instrument of distant pleasure,) or *convenience*, or *advantage*, *benefit*, *emolument*,[1] *happiness*, and so forth: to pain, whether it be called *evil*, (which corresponds to *good*) or *mischief*, or *inconvenience*, or *disadvantage*, or *loss*, or *unhappiness*, and so forth.

VIII. Nor is this a novel and unwarranted, any more than it is a useless theory. In all this there is nothing but what the practice of mankind, wheresoever they have a clear view of their own interest, is perfectly conformable to. An article of property, an estate in land, for instance, is valuable, on what account? On account of the pleasures of all kinds which it enables a man to produce, and what comes to the same thing the pains of all kinds which it enables him to avert. But the value of such an article of property is universally understood to rise or fall according to the length or shortness of the time which a man has in it: the certainty or uncertainty of its coming into possession: and the nearness or remoteness of the time at which, if at all, it is to come into possession. As to the *intensity* of the pleasures which a man may derive from it, this is never thought of, because it depends upon the use which each particular person may come to make of it; which cannot be estimated till the particular pleasures he may come to derive from it, or the particular pains he may come to exclude by means of it, are brought to view. For the same reason, neither does he think of the *fecundity* or *purity* of those pleasures.

Thus much for pleasure and pain, happiness and unhappiness, in *general*. We come now to consider the several particular kinds of pain and pleasure.

[…]

Chapter 13: Cases Unmeet for Punishment

§1. General View of Cases Unmeet for Punishment

I. The general object which all laws have, or ought to have, in common, is to augment the total happiness of the community; and therefore, in the first place, to exclude, as far as may be, every thing that tends to subtract from that happiness: in other words, to exclude mischief.

II. But all punishment is mischief: all punishment in itself is evil. Upon the principle of utility, if it ought at all to be admitted, it ought only to be admitted in as far as it promises to exclude some greater evil.[2]

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[1] *emolument* Payment (for work done).

[2] *greater evil* [Bentham's note] The immediate principal end of punishment is to control action. This action is either that of the offender, or of others: that of the offender it controls by its influence, either on his will, in which case it is said to operate in the way of *reformation*; or on his physical power, in which case it is said to operate by *disablement*: that of others it can influence otherwise than by its influence over their wills, in which case it is said to operate in the way of *example*. A kind of collateral end, which it has a natural tendency to answer, is that of affording a pleasure or satisfaction to the party injured, where there is one, and, in general, to parties whose ill-will whether on a self-regarding account, or on the account of sympathy or antipathy, has been excited by the offense. This purpose, as far as it can be answered *gratis*, is a beneficial one. But no punishment ought to be allotted merely to this purpose, because (setting aside its effects in the way of control) no such pleasure is ever produced by punishment as can be equivalent to the pain. The punishment, however, which is allotted to the other purpose, ought, as far as it can be done without expense, to be accommodated to this. Satisfaction thus administered to a party injured, in the shape of a dissocial pleasure, may be styled a vindictive satisfaction or compensation: as a compensation, administered in the shape of self-regarding profit, or stock of pleasure, may be styled a lucrative one. Example is the most important end of all, in proportion as the *number* of the persons under temptation to offend is to *one*.

III. It is plain, therefore, that in the following cases punishment ought not to be inflicted.

1. Where it is *groundless*: where there is no mischief for it to prevent; the act not being mischievous upon the whole.
2. Where it must be *inefficacious*: where it cannot act so as to prevent the mischief.
3. Where it is *unprofitable*, or too *expensive*: where the mischief it would produce would be greater than what it prevented.
4. Where it is *needless*: where the mischief may be prevented, or cease of itself, without it: that is, at a cheaper rate.

§2. Cases in Which Punishment Is Groundless

These are,

IV. 1. Where there has never been any mischief: where no mischief has been produced to anybody by the act in question. Of this number are those in which the act was such as might, on a some occasions, be mischievous or disagreeable, but the person whose interest it concerns gave his *consent* to the performance of it. This consent, provided it be free, and fairly obtained, is the best proof that can be produced, that, to the person who gives it, no mischief, at least no immediate mischief, upon the whole, is done. For no man can be so good a judge as the man himself, what it is gives him pleasure or displeasure.

V. 2. Where the mischief was *outweighed*: although a mischief was produced by that act, yet the same act was necessary to the production of a benefit which was of greater value than the mischief. This may be the case with anything that is done in the way of precaution against instant calamity, as also with anything that is done in the exercise of the several sorts of powers necessary to be established in every community, to wit, domestic, judicial, military, and supreme.

VI. 3. Where there is a certainty of an adequate compensation: and that in all cases where the offense can be committed. This supposes two things: 1. That the offence is such as admits of an adequate compensation. 2. That such a compensation is sure to be forthcoming. Of these suppositions, the latter will be found to be a merely ideal one: a supposition that cannot, in the universality here given to it, be verified by fact. It cannot, therefore, in practice, be numbered amongst the grounds of absolute impunity. It may, however, be admitted as a ground for an abatement of that punishment, which other considerations, standing by themselves, would seem to dictate.[1]

§3. Cases in Which Punishment Must Be Inefficacious

These are,

VII. 1. Where the penal provision is *not established* until after the act is done. Such are the cases, 1. Of an *ex-post-facto* law; where the legislator himself appoints not a punishment till after the act is done. 2. Of a sentence beyond the law; where the judge, of his own authority, appoints a punishment which the legislator had not appointed.

VIII. 2. Where the penal provision, though established, is *not conveyed* to the notice of the person on whom it seems intended that it should operate. Such is the case where the law has omitted to employ any of the expedients which are necessary, to make sure that every person whatsoever, who is within the reach of the law, be apprised of all the cases whatsoever, in which (being in the station of life he is in) he can be subjected to the penalties of the law.

IX. 3. Where the penal provision, though it were conveyed to a man's notice, *could produce no effect* on him, with respect to the preventing him from engaging in any act of the *sort* in question. Such is the case, 1. In extreme *infancy*; where a man has not yet attained that state or disposition of mind in which the prospect of evils so distant as those which are held forth by the law, has the effect of influencing his conduct. 2. In *insanity*; where the person, if he has attained to that disposition, has since been deprived of it through the influence of some permanent though unseen cause. 3. In *intoxication*; where he has been a deprived of it by the transient influence of a visible cause: such as the use of wine, or opium, or other drugs, that act in this manner on the nervous system: which condition is indeed neither more nor less than a temporary insanity produced by an assignable cause.

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[1] *seem to dictate* [Bentham's note] This, for example, seems to have been one ground, at least, of the favor shown by perhaps all systems of laws, to such offenders as stand upon a footing of responsibility: shown, not directly indeed to the persons themselves; but to such offenses as none but responsible persons are likely to have the opportunity of engaging in. In particular, this seems to be the reason why embezzlement, in certain cases, has not commonly been punished upon the footing of theft: nor mercantile frauds upon that of common sharping.

X. 4. Where the penal provision (although, being conveyed to the party's notice, it might very well prevent his engaging in acts of the sort in question, provided he knew that it related to those acts) could not have this effect, with regard to the *individual* act he is about to engage in: to wit, because he knows not that it is of the number of those to which the penal provision relates. This may happen, 1. In the case of *unintentionality*; where he intends not to engage, and thereby knows not that he is about to engage, in the *act* in which eventually he is about to engage. 2. In the case of *unconsciousness*; where, although he may know that he is about to engage in the *act* itself, yet, from not knowing all the material *circumstances* attending it, he knows not of the *tendency* it has to produce that mischief, in contemplation of which it has been made penal in most instances. 3. In the case of *missupposal*;[1] where, although he may know of the tendency the act has to produce that degree of mischief, he supposes it, though mistakenly, to be attended with some circumstance, or set of circumstances, which, if it had been attended with, it would either not have been productive of that mischief, or have been productive of such a greater degree of good, as has determined the legislator in such a case not to make it penal.

XI. 5. Where, though the penal clause might exercise a full and prevailing influence, were it to act alone, yet by the *predominant* influence of some opposite cause upon the will, it must necessarily be ineffectual; because the evil which he sets himself about to undergo, in the case of his *not* engaging in the act, is so great, that the evil denounced by the penal clause, in case of his engaging in it, cannot appear greater. This may happen, 1. In the case of *physical danger*; where the evil is such as appears likely to be brought about by the unassisted powers of *nature*. 2. In the case of a *threatened mischief*; where it is such as appears likely to be brought about through the intentional and conscious agency of *man*.[2]

XII. 6. Where (though the penal clause may exert a full and prevailing influence over the *will* of the party) yet his *physical faculties* (owing to the predominant influence of some physical cause) are not in a condition to follow the determination of the will: insomuch that the act is absolutely *involuntary*. Such is the case of physical *compulsion* or *restraint*, by whatever means brought about; where the man's hand, for instance, is pushed against some object which his will disposes him *not* to touch; or tied down from touching some object which his will disposes him to touch.

§4. Cases Where Punishment Is Unprofitable

These are,

XIII. 1. Where, on the one hand, the nature of the offense, on the other hand, that of the punishment, are, *in the ordinary state of things*, such, that when compared together, the evil of the latter will turn out to be greater than that of the former.

XIV. Now the evil of the punishment divides itself into four branches, by which so many different sets of persons are affected. 1. The evil of *coercion* or *restraint*: or the pain which it gives a man not to be able to do the act, whatever it be, which by the apprehension of the punishment he is deterred from doing. This is felt by those by whom the law is *observed*. 2. The evil of *apprehension*: or the pain which a man, who has exposed himself to punishment, feels at the thoughts of undergoing it. This is felt by those by whom the law has been *broken*, and who feel themselves in *danger* of its being executed upon them. 3. The evil of *sufferance*: or the pain which a man feels, in virtue of the punishment itself, from the time when he begins to undergo it. This is felt by those by whom the law is broken, and upon whom it comes actually to be executed. 4. The pain of sympathy, and the other *derivative* evils resulting to the persons who are in *connection* with the several classes of original sufferers just mentioned. Now of these four lots of evil, the first will be greater or less, according to the nature of the act from which the party is restrained: the second and third according to the nature of the punishment which stands annexed to that offence.

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[1] *missupposal* Mistaken assumption.

[2] *conscious agency of man* [Bentham's note] The influences of the *moral* and *religious* sanctions, or, in other words, of the motives of *love of reputation* and *religion*, are other causes, the force of which may, upon particular occasions, come to be greater than that of any punishment which the legislator is *able*, or at least which he will *think proper*, to apply. These, therefore, it will be proper for him to have his eye upon. But the force of these influences is variable and different in different times and places: the force of the foregoing influences is constant and the same, at all times and every where. These, therefore, it can never be proper to look upon as safe grounds for establishing absolute impunity: owing (as in the above-mentioned cases of infancy and intoxication) to the impracticability of ascertaining the matter of fact.

XV. On the other hand, as to the evil of the offense, this will also, of course, be greater or less, according to the nature of each offense. The proportion between the one evil and the other will therefore be different in the case of each particular offence. The cases, therefore, where punishment is unprofitable on this ground, can by no other means be discovered, than by an examination of each particular offense; which is what will be the business of the body of the work.

XVI. 2. Where, although in the *ordinary state* of things, the evil resulting from the punishment is not greater than the benefit which is likely to result from the force with which it operates, during the same space of time, towards the excluding the evil of the offenses, yet it may have been rendered so by the influence of some *occasional circumstances.* In the number of these circumstances may be, 1. The multitude of delinquents at a particular juncture;[1] being such as would increase, beyond the ordinary measure, the *quantum*[2] of the second and third lots, and thereby also of a part of the fourth lot,[3] in the evil of the punishment. 2. The extraordinary value of the services of some one delinquent; in the case where the effect of the punishment would be to deprive the community of the benefit of those services. 3. The displeasure of the *people*; that is, of an indefinite number of the members of the *same* community, in cases where (owing to of the influence of some occasional incident) they happen to conceive, that the offense or the offender ought not to be punished at all, or at least ought not to be punished in the way in question. 4. The displeasure of *foreign powers*; that is, of the governing body, or a considerable number of the members of some *foreign* community or communities, with which the community in question is connected.

§5. Cases Where Punishment Is Needless

These are,

XVII. 1. Where the purpose of putting an end to the practice may be attained as effectually at a cheaper rate: by instruction, is for instance, as well as by terror: by informing the understanding, as well as by exercising an immediate influence on the will. This seems to be the case with respect to all those offenses which consist in the disseminating pernicious principles in matters of *duty*; of whatever kind the duty be; whether political, or moral, or religious. And this, whether such principles be disseminated *under*, or even *without*; a sincere persuasion of their being beneficial. I say, even *without*: for though in such a case it is not instruction that can prevent the writer from endeavoring to inculcate his principles, yet it may the readers from adopting them: without which, his endeavoring to inculcate them will do no harm. In such a case, the sovereign will commonly have little need to take an active part: if it be the interest of *one* individual to inculcate principles that are pernicious, it will as surely be the interest of *other* individuals to expose them. But if the sovereign must needs take a part in the controversy, the pen is the proper weapon to combat error with, not the sword.

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Offences against One's Self: Paederasty, Part 1 (1785)

To what class of offences shall we refer these irregularities of the venereal[4] appetite which are styled unnatural? Whence hidden from the public eye there could be no color[5] for placing them anywhere else: could they find a place anywhere it would be here. I have been tormenting myself for years to find if possible a sufficient ground for treating them with the severity with which they are treated at this time of day by all European nations: but upon the principle of utility I can find none.

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[1] *multitude of delinquents at a particular juncture* Large number of wrong-doers at a particular occasion.

[2] *quantum* Quantity.

[3] *second and third lots ... fourth lot* The "lots" here are the quantities of pain resulting in cases 2, 3, and 4 mentioned in section XIV above.

[4] *venereal* Sexual.

[5] *color* Seeming reason.

Offences of Impurity—Their Varieties

The abominations that come under this head have this property in common, in this respect, that they consist in procuring certain sensations by means of an improper object. The impropriety then may consist either in making use of an object

1. Of the proper species but at an improper time: for instance, after death.
2. Of an object of the proper species and sex, and at a proper time, but in an improper part.
3. Of an object of the proper species but the wrong sex. This is distinguished from the rest by the name of pederasty.
4. Of a wrong species.
5. In procuring this sensation by one's self without the help of any other sensitive object.

Pederasty Makes the Greatest Figure

The third being that which makes the most figure in the world it will be proper to give that the principal share of our attention. In settling the nature and tendency of this offence we shall for the most part have settled the nature and tendency of all the other offences that come under this disgusting catalogue.

Whether They Produce Any Primary Mischief

1. As to any primary mischief, it is evident that it produces no pain in anyone. On the contrary it produces pleasure, and that a pleasure which, by their perverted taste, is by this supposition preferred to that pleasure which is in general reputed the greatest. The partners are both willing. If either of them be unwilling, the act is not that which we have here in view: it is an offence totally different in its nature of effects: it is a personal injury; it is a kind of rape.

As a Secondary Mischief Whether They Produce Any Alarm in the Community

2. As to any secondary mischief, it produces not any pain of apprehension. For what is there in it for anybody to be afraid of? By the supposition, those only are the objects of it who choose to be so, who find a pleasure, for so it seems they do, in being so.

Whether Any Danger

3. As to any danger exclusive of pain, the danger, if any, must consist in the tendency of the example. But what is the tendency of this example? To dispose others to engage in the same practices: but this practice for anything that has yet appeared produces not pain of any kind to anyone.

Reasons That Have Commonly Been Assigned

Hitherto we have found no reason for punishing it at all: much less for punishing it with the degree of severity with which it has been commonly punished. Let us see what force there is in the reasons that have been commonly assigned for punishing it.

The whole tribe of writers on English law, who none of them knows any more what they mean by the word "peace" than they do by many other of the expressions that are most familiar to them, reckon this among offences against the peace. It is accordingly treated in all respects as an offence against the peace. They likewise reckon forgery, coining,[1] and all sorts of frauds among offences against the peace. According to the same writers it is doubted whether adultery be not a breach of the peace. It is certain however that whenever a gallant[2] accepts an invitation of another man's wife he does it with force and arms. This needs no comment.

Whether Against the Security of the Individual

Sir W. Blackstone[3] is more particular. According to him it is not only an offence against the peace, but it is of that division of offences against the peace which are offences against security. According to the same writer, if a man is guilty of this kind of filthiness, for instance, with a cow, as some men have been known to be, it is an offence against somebody's security. He does not say whose security, for the law makes no distinction in its ordinances, so neither does this lawyer or any other English lawyer in his comments make any distinction between this kind of filthiness when committed with the consent of the patient[1] and the same kind of filthiness when committed against his consent and by violence. It is just as if a man were to make no distinction between concubinage[2] and rape.

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[1] *coining* Manufacturing (false) coins.

[2] *gallant* Ladies' man.

[3] *Sir W. Blackstone* William Blackstone (1723–80), English author of *Commentaries on the Laws of England* (1765–69), a very important work on the history and nature of English common law.

Whether It Debilitates—Montesquieu

The reason that Montesquieu[3] gives for reprobating[4] it is the weakness which he seems to suppose it to have a tendency to bring upon those who practice it. (*Spirit of Laws*, Book 12, Chapter 6) "Il faudroit le proscrire quand il ne feroit que donner à un sexe les faiblesses de l'autre et préparer à une vieillesse infame par une jeunesse honteuse." / "It ought to be proscribed were it only for its giving to the one sex the weaknesses of the other and paving the way by a scandalous youth for an infamous old age.") This, if it be true in fact, is a reason of a very different complexion from any of the preceding and it is on the ground of this reason as being the most plausible one that I have ranked the offence under its present head. As far as it is true in fact, the act ought to be regarded in the first place as coming within the list of offences against one's self, of offences of imprudence: in the next place, as an offence against the state, an offence the tendency of which is to diminish the public force.

If however it tends to weaken a man it is not any single act that can in any sensible degree have that effect. It can only be the habit: the act thus will become obnoxious as evidencing the existence, in probability, of the habit. This enervating tendency, be it what it may, if it is to be taken as a ground for treating the practice in question with a degree of severity which is not bestowed upon the regular way of gratifying the venereal appetite, must be greater in the former case than in the latter. Is it so? If the affirmative can be shown it must be either by arguments *a priori*[5] drawn from considerations of the nature of the human frame[6] or from experience. Are there any such arguments from physiology? I have never heard of any: I can think of none.

What Says History?

What says historical experience? The result of this can be measured only upon a large scale or upon a very general survey. Among the modern nations it is comparatively but rare. In modern Rome it is perhaps not very uncommon; in Paris probably not quite so common; in London still less frequent; in Edinburgh or Amsterdam you scarce hear of it two or three times in a century. In Athens and in ancient Rome in the most flourishing periods of the history of those capitals, regular intercourse between the sexes was scarcely much more common. It was upon the same footing throughout Greece: everybody practiced it; nobody was ashamed of it. They might be ashamed of what they looked upon as an excess in it, or they might be ashamed of it as a weakness, as a propensity that had a tendency to distract men from more worthy and important occupations, just as a man with us might be ashamed of excess or weakness in his love for women. In itself one may be sure they were not ashamed of it. Agesilaus,[7] upon somebody's taking notice of the care he took to avoid taking any familiarities with a youth who passed for being handsome acknowledges it, indeed, but upon what ground? Not on account of the turpitude but the danger. Xenophon[8] in his retreat of the ten thousand gives an anecdote of himself in which he mentions himself as particularly addicted to this practice without seeming to entertain the least suspicion that any apology was necessary. In his account of Socrates's conversation he introduces that philosopher censuring or rather making merry with a young man for his attachment to the same practice. But in what light does he consider it? As a weakness unbecoming to a philosopher, not as a turpitude or a crime unbecoming to a man. It is not because an object of the one sex more than one of the other is improper game: but on account of the time that must be spent and the humiliation submitted to in the pursuit.

What is remarkable is that there is scarce a striking character in antiquity, nor one that in other respects men are in use to cite as virtuous, of whom it does not appear by one circumstance or another, that he was infected with this inconceivable propensity. It makes a conspicuous figure in the very opening of Thucydides's[9] history, and by an odd accident it was to the spirit of two young men kindled and supported by this passion that Athens according to that historian stood indebted on a trying occasion for the recovery of its liberty. The firmness and spirit of the Theban band—the band of lovers as it was called—is famous in history; and the principle by which the union among the members of it was commonly supposed to be cemented is well known. Many moderns, and among others Mr. Voltaire,[1] dispute the fact, but that intelligent philosopher sufficiently intimates the ground[2] of his incredulity—if he does not believe it, it is because he likes not to believe it. What the ancients called love in such a case was what we call Platonic, that is, was not love but friendship. But the Greeks knew the difference between love and friendship as well as we—they had distinct terms to signify them by: it seems reasonable therefore to suppose that when they say love they mean love, and that when they say friendship only they mean friendship only. And with regard to Xenophon and his master, Socrates, and his fellow-scholar Plato, it seems more reasonable to believe them to have been addicted to this taste when they or any of them tell us so in express terms than to trust to the interpretations, however ingenious and however well-intended, of any men who write at this time of day, when they tell us it was no such thing. Not to insist upon Agesilaus and Xenophon, it appears by one circumstance or another that Themistocles, Aristides, Epaminondus, Alcibiades, Alexander[3] and perhaps the greatest number of the heroes of Greece were infected with this taste. Not that the historians are at the pains of informing us so expressly, for it was not extraordinary enough to make it worth their while, but it comes out collaterally in the course of the transactions they have occasion to relate.

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[1] *patient* One to whom something is done.

[2] *concubinage* The living together of a man and woman not legally married.

[3] *Montesquieu* French Enlightenment social and political thinker (1689–1755). His rarely used full name was Charles-Louis de Secondat, Baron de La Brède et de Montesquieu.

[4] *reprobating* Condemning.

[5] *a priori* Latin: *from beforehand*—that is, before, independent of, direct observation.

[6] *frame* Body.

[7] *Agesilaus* Agesilaus (440–360 BCE) was King of Sparta for 41 years beginning in 401 BCE.

[8] *Xenophon* Greek historian (c. 427–355 BCE).

[9] *Thucydides* Greek historian (c. 460 BCE–c. 400 BCE), author of the *History of the Peloponnesian War*.

[...]

Whether It Enervates the Patient More than the Agent

Montesquieu however seems to make a distinction—he seems to suppose these enervating effects to be exerted principally upon the person who is the patient in such a business. This distinction does not seem very satisfactory in any point of view. Is there any reason for supposing it to be a fixed one? Between persons of the same age actuated by the same incomprehensible desires would not the parts they took in the business be convertible? Would not the patient be the agent in his turn? If it were not so, the person on whom he supposes these effects to be the greatest is precisely the person with regard to whom it is most difficult to conceive whence those consequences should result. In the one case there is exhaustion which when carried to excess may be followed by debility: in the other case there is no such thing.

Whether It Hurts Population?

A notion more obvious, but perhaps not much better founded than the former is that of its being prejudicial to population. Mr. Voltaire appears inclined in one part of his works to give some countenance to this opinion. He speaks of it as a vice which would be destructive to the human race if it were general. "How did it come about that a vice which would destroy mankind if it were general, that an infamous outrage against nature… ?"[4]

A little further on, speaking of Sextus Empiricus[5] who would have us believe that this practice was "recommended" in Persia by the laws, he insists that the effect of such a law would be to annihilate the human race if it were literally observed. "No," says he, "it is not in human nature to make a law that contradicts and outrages nature, a law that would annihilate mankind if it were observed to the letter." This consequence however is far enough from being a necessary one. For a law of the purport he represents to be observed, it is sufficient that this unprolific kind of venery[6] be practiced; it is not necessary that it should be practiced to the exclusion of that which is prolific.[7] Now that there should ever be wanting such a measure of the regular and ordinary inclination of desire for the proper object as is necessary for keeping up the numbers of mankind upon their present footing is a notion that stands warranted by nothing that I can find in history. To consider the matter *a priori*, if we consult Mr. Hume[1] and Dr. Smith,[2] we shall find that it is not the strength of the inclination of the one sex for the other that is the measure of the numbers of mankind, but the quantity of subsistence which they can find or raise upon a given spot. With regard to the mere object of population, if we consider the time of gestation in the female sex we shall find that much less than a hundredth part of the activity a man is capable of exerting in this way is sufficient to produce all the effect that can be produced by ever so much more. Population therefore cannot suffer till the inclination of the male sex for the female be considerably less than a hundredth part as strong as for their own. Is there the least probability that should ever be the case? I must confess I see not anything that should lead us to suppose it. Before this can happen the nature of the human composition must receive a total change and that propensity which is commonly regarded as the only one of the two that is. Natural must have become altogether an unnatural one.

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[1] *Voltaire* Pen-name of François-Marie Arouet (1694–1778), French Enlightenment writer and philosopher.

[2] *intimates the ground* Hints at the basis.

[3] *Themistocles … Alexander* All ancient Greek figures of great achievement: Themistocles and Aristides were statesmen, Epaminondus a general, Alcibiades both a statesman and a general, and Alexander ("the Great") king of Macedon and military conqueror.

[4] *How did it come … against nature* Voltaire, *Questions on the Encyclopedia*, "Socratic Love" (1764).

[5] *Sextus Empiricus* Ancient Greek philosopher who flourished towards the end of second century CE (his biographical details are largely unknown). He is known for his association with the school of skeptical philosophy.

[6] *venery* Pursuit of sexual pleasure.

[7] *prolific* Productive of offspring.

I have already observed that I can find nothing in history to countenance the notion I am examining. On the contrary the country in which the prevalence of this practice is most conspicuous happens to have been remarkable for its populousness. The bent of popular prejudice has been to exaggerate this populousness: but after all deductions made, still it will appear to have been remarkable. It was such as, notwithstanding the drain of continual wars in a country parceled out into paltry states as to be all of it frontier, gave occasion to the continued necessity of emigration.

This reason however well grounded soever it were in itself could not with any degree of consistency be urged in a country where celibacy was permitted, much less where it was encouraged. The proposition which (as will be shewn more fully by and by) is not at all true with respect to pederasty, I mean that were it to prevail universally it would put an end to the human race, is most evidently and strictly true with regard to celibacy. If then merely out of regard to population it were right that pederasts should be burnt alive monks ought to be roasted alive by a slow fire. If a pederast, according to the monkish canonist Bermondus,[3] destroys the whole human race, Bermondus destroyed it I don't know how many thousand times over. The crime of Bermondus[4] is I don't know how many times worse than pederasty.

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Panopticon; or the Inspection-House (1787)[5]

Letter 1, Idea of the Inspection Principle
Letter 2, Plan for a Penitentiary Inspection-House
Letter 5, Essential Points of the Plan
Letter 6, Advantages of the Plan

Letter 1: Idea of the Inspection Principle

Crecheff in White Russia, 1787.

Dear ****,
I observed t'other day in one of your English papers, an advertisement relative to a House of Correction therein spoken of, as intended for ******. It occurred to me, that the plan of a building, lately contrived by my brother, for purposes in some respects similar, and which, under the name of the *Inspection House*, or the *Elaboratory*, he is about erecting here, might afford some hints for the above establishment.[6] I have accordingly obtained some drawings

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[1] *Mr. Hume* David Hume (1711–76), Scottish philosopher, economist, and historian.

[2] *Dr. Smith* Adam Smith (1723–90), Scottish political economist.

[3] *Bermondus* Little is known of this figure in the Roman Catholic Church other than his denunciation of pederasty at the Fifth Council of the Lateran (1512–17).

[4] *crime of Bermondus* I.e., celibacy.

[5] *Panopticon; or the Inspection-House* The full title reads as follows: Panopticon; or the Inspection-House: containing the idea of a new principle of construction applicable to any sort of establishment, in which persons of any description are to be kept under inspection; and in particular to penitentiary-houses, prisons, houses of industry, work-houses, poor-houses, lazarettos, manufactories, hospitals, mad-houses, and schools: with a plan of management adapted to the principle: in a series of letters written in the year 1787, from Crecheff in White Russia. To a friend in England by Jeremy Bentham, of Lincoln's Inn, Esquire.

[6] *It occurred to me … establishment* [Bentham's note] The sudden breaking out of the war between the Turks and Russians, in consequence of an unexpected attack made by the former on the latter concurred with some other incidents in putting a stop to the design. The person here spoken of, at that time Lieutenant-Colonel Commandant of a battalion in the Empress's service, having obtained a regiment and other honors for his services in the course of the war, is now stationed with his regiment in a distant part of the country.

relative to it, which I here enclose. Indeed I look upon it as capable of applications of the most extensive nature; and that for reasons which you will soon perceive.

To say all in one word, it will be found applicable, I think, without exception, to all establishments whatsoever, in which, within a space not too large to be covered or commanded by buildings, a number of persons are meant to be kept under inspection. No matter how different, or even opposite the purpose: whether it be that of *punishing the incorrigible, guarding the insane, reforming the vicious, confining the suspected, employing the idle, maintaining the helpless, curing the sick, instructing the willing* in any branch of industry, or *training the rising race* in the path of *education*: in a word, whether it be applied to the purposes of *perpetual prisons* in the room of death, or *prisons for confinement* before trial, or *penitentiary-houses, or houses of correction, or work-houses, or manufactories, or mad-houses, or hospitals, or schools.*

It is obvious that, in all these instances, the more constantly the persons to be inspected are under the eyes of the persons who should inspect them, the more perfectly will the purpose X of the establishment have been attained. Ideal perfection, if that were the object, would require that each person should actually be in that predicament, during every instant of time. This being impossible, the next thing to be wished for is, that, at every instant, seeing reason to believe as much, and not being able to satisfy himself to the contrary, he should *conceive* himself to be so. This point, you will immediately see, is most completely secured by my brother's plan; and, I think, it will appear equally manifest, that it cannot be compassed by any other, or to speak more properly, that if it be compassed by any other, it can only be in proportion as such other may approach to this.

To cut the matter as short as possible, I will consider it at once in its application to such purposes as, being most complicated, will serve to exemplify the greatest force and variety of precautionary contrivance. Such are those which have suggested the idea of *penitentiary-houses*: in which the objects of *safe custody, confinement, solitude, forced labor*, and *instruction*, were all of them to be kept in view. If all these objects can be accomplished together, of course with at least equal certainty and facility may any lesser number of them.

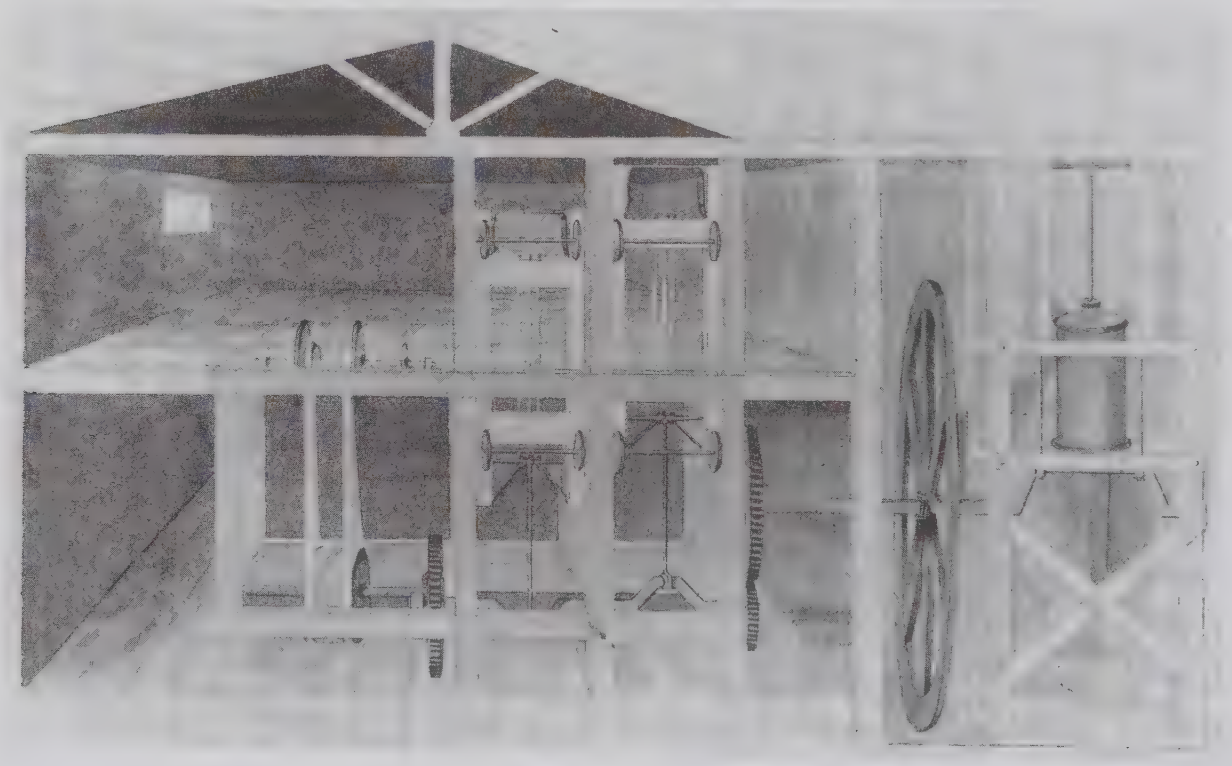

Illustration 1 of Bentham's panopticon.

Letter 2: Plan for a Penitentiary Inspection-House

Before you look at the plan, take in words the general idea of it.

The building is circular.

The apartments of the prisoners occupy the circumference. You may call them, if you please, the *cells*.

These *cells* are divided from one another, and the prisoners by that means secluded from all communication with each other, by *partitions* in the form of *radii* issuing from the circumference towards the centre, and extending as many feet as shall be thought necessary to form the largest dimension of the cell.

The apartment of the inspector occupies the centre; you may call it if you please the *inspector's lodge*.

It will be convenient in most, if not in all cases, to have a vacant space or *area* all round, between such centre and such circumference. You may call it if you please the *intermediate* or *annular* area.

About the width of a cell may be sufficient for a *passage* from the outside of the building to the lodge.

Each cell has in the outward circumference, a *window*, large enough, not only to light the cell, but, through the cell, to afford light enough to the correspondent part of the lodge.

The inner circumference of the cell is formed by an iron *grating*, so light as not to screen any part of the cell from the inspector's view.

Of this grating, a part sufficiently large opens, in form of a *door*, to admit the prisoner at his first entrance; and to give admission at any time to the inspector or any of his attendants.

To cut off from each prisoner the view of every other, the partitions are carried on a few feet beyond the grating into the intermediate area: such projecting parts I call the *protracted partitions*.

It is conceived, that the light, coming in in this manner through the cells, and so across the intermediate area, will be sufficient for the inspector's lodge. But, for this purpose,

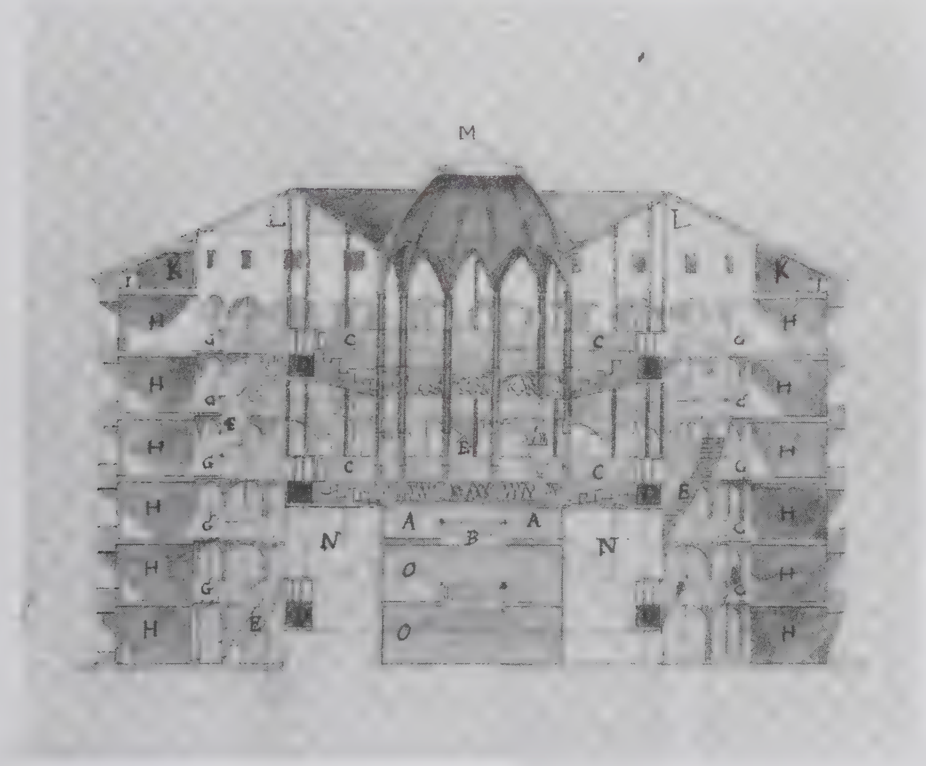

Illustration 2 of Bentham's panopticon.

both the windows in the cells, and those corresponding to them in the lodge, should be as large as the strength of the building, and what shall be deemed a necessary attention to economy, will permit.

To the windows of the lodge there are *blinds*, as high up as the eyes of the prisoners in their cells can, by any means they can employ, be made to reach.

To prevent *thorough light*, whereby, notwithstanding the blinds, the prisoners would see from the cells whether or not any person was in the lodge, that apartment is divided into quarters, by *partitions* formed by two diameters to the circle, crossing each other at right angles. For these partitions the thinnest materials might serve; and they might be made removable at pleasure; their height, sufficient to prevent the prisoners seeing over them from the cells. Doors to these partitions, if left open at any time, might produce the thorough light. To prevent this, divide each partition into two, at any part required, setting down the one-half at such distance from the other as shall be equal to the aperture of a door.

These windows of the inspector's lodge open into the intermediate area, in the form of *doors*, in as many places as shall be deemed necessary to admit of his communicating readily with any of the cells.

Small *lamps*, in the outside of each window of the lodge, backed by a reflector, to throw the light into the corresponding cells, would extend to the night the security of the day.

To save the troublesome exertion of voice that might otherwise be necessary, and to prevent one prisoner from knowing that the inspector was occupied by another prisoner at a distance, a small *tin tube* might reach from each cell to the inspector's lodge, passing across the area, and so in at the side of the correspondent window of the lodge. By means of this implement, the slightest whisper of the one might be heard by the other, especially if he had proper notice to apply his ear to the tube.

With regard to *instruction*, in cases where it cannot be duly given without the instructor's being close to the work, or without setting his hand to it by way of example before the learner's face, the instructor must indeed here as elsewhere, shift his station as often as there is occasion to visit different workmen; unless he calls the workmen to him, which in some of the instances to which this sort of building is applicable, such as that of imprisoned felons, could not so well be. But in all cases where directions, given verbally and at a distance, are sufficient, these tubes will be found of use. They will save, on the one hand, the exertion of voice it would require, on the part of the instructor, to communicate instruction to the workmen without quitting his central station in the lodge; and, on the other, the confusion which would ensue if different instructors or persons in the lodge were calling to the cells at the same time. And, in the case of hospitals, the quiet that may be insured by this little contrivance, trifling as it may seem at first sight, affords an additional advantage.

A *bell*, appropriated exclusively to the purposes of *alarm*, hangs in a *belfry* with which the building is crowned, communicating by a rope with the inspector's lodge.

The most economical, and perhaps the most convenient, way of *warming* the cells and area, would be by flues[1] surrounding it, upon the principle of those in hot-houses. A total want of every means of producing artificial heat might, in such weather as we sometimes have in England, be fatal to the lives of the prisoners; at any rate, it would often times be altogether incompatible with their working at any sedentary employment. The flues, however, and the fire-places belonging to them, instead of being on the outside, as in hot-houses, should be in the inside. By this means, there would be less waste of heat, and the current of air that would rush in on all sides through the cells, to supply the draught made by the fires, would answer so far the purpose of ventilation. But of this more under the head of Hospitals.[2]

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[1] *flues* Pipes to carry heat.

[2] *of this more … Hospitals* [Bentham's note] There is one subject, which, though not of the most dignified kind, nor of the most pleasant kind to expatiate upon, is of too great importance to health and safe custody to be passed over unconsidered: I mean the provision to be made for carrying off the result of necessary evacuations. A common necessary might be dangerous to security, and would be altogether incompatible with the plan of solitude. To have the filth carried off by the attendants, would be altogether as incompatible with cleanliness, since without such a degree of regularity as it would be difficult, if not ridiculous, to attempt to enforce in case of health, and altogether impossible in case of sickness, the air of each cell, and by that means the lodge itself would be liable to be kept in a state of constant contamination, in the intervals betwixt one visit and another. This being the case, I can see no other eligible means, than that of having in each cell a fixed provision made for this purpose in the construction of the building.

Letter 5: Essential Points of the Plan

It may be of use, that among all the particulars you have seen, it should be clearly understood what circumstances are, and what are not, essential to the plan. The essence of it consists, then, in the *centrality* of the inspector's situation, combined with the well-known and most effectual contrivances for *seeing without being seen.* As to the *general form* of the building, the most commodious for most purposes seems to be the circular: but this is not an absolutely essential circumstance. Of all figures, however, this, you will observe, is the only one that affords a perfect view, and the same view, of an indefinite number of apartments of the same dimensions: that affords a spot from which, without any change of situation, a man may survey, in the same perfection, the whole number, and without so much as a change of posture, the half of the whole number, at the same time: that, within a boundary of a given extent, contains the greatest quantity of room:—that places the centre at the least distance from the light:—that gives the cells most width, at the part where, on account of the light, most light may, for the purposes of work, be wanted:—and that reduces to the greatest possible shortness the path taken by the inspector, in passing from each part of the field of inspection to every other.

You will please to observe, that though perhaps it is the most important point, that the persons to be inspected should always feel themselves as if under inspection, at least as standing a great chance of being so, yet it is not by any means the *only* one. If it were, the same advantage might be given to buildings of almost any form. What is also of importance is, that for the greatest proportion of time possible, each man should actually *be* under inspection. This is material in *all* cases, that the inspector may have the satisfaction of knowing, that the discipline actually has the effect which it is designed to have: and it is more particularly material in such cases where the inspector, besides seeing that they conform to such standing rules as are prescribed, has more or less frequent occasion to give them such transient and incidental directions as will require to be given and enforced, at the commencement at least of every course of industry. And I think, it needs not much argument to prove, that the business of inspection, like every other, will be performed to a greater degree of perfection, the less trouble the performance of it requires.

Not only so, but the greater chance there is, of a given person's being at a given time actually under inspection, the more strong will be the persuasion—the more *intense*, if I may say so, the *feeling*, he has of his being so. How little turn soever the greater number of persons so circumstanced may be supposed to have for calculation, some rough sort of calculation can scarcely, under such circumstances, avoid forcing itself upon the rudest mind. Experiment, venturing first upon slight trangressions, and so on, in proportion to success, upon more and more considerable ones, will not fail to teach him the difference between a loose inspection and a strict one.

It is for these reasons, that I cannot help looking upon every form as less and less eligible, in proportion as it deviates from the *circular.*

A very material point is, that room be allotted to the lodge, sufficient to adapt it to the purpose of a complete and constant habitation for the principal inspector or headkeeper, and his family. The more numerous also the family, the better; since, by this means, there will in fact be as many inspectors, as the family consists of persons, though only one be paid for it. Neither the orders of the inspector himself, nor any interest which they may feel, or not feel, in the regular performance of his duty, would be requisite to find them motives adequate to the purpose. Secluded oftentimes, by their situation, from every other object, they will naturally, and in a manner unavoidably, give their eyes a direction conformable to that purpose, in every momentary interval of their ordinary occupations. It will supply in their instance the place of that great and constant fund of entertainment to the sedentary and vacant in towns—the looking out of the window. The scene, though a confined, would be a very various, and therefore, perhaps, not altogether an unamusing one.

Letter 6: Advantages of the Plan

I flatter myself there can now be little doubt of the plan's possessing the fundamental advantages I have been attributing to it: I mean, the *apparent omnipresence*[1] of the inspector (if divines will allow me the expression,) combined with the extreme facility of his *real presence.*

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[1] *omnipresence* Presence everywhere (a characteristic usually associated only with God—thus the joking remark about "divines" following).

A collateral advantage it possesses, and on the score of frugality a very material one, is that which respects the *number* of the inspectors requisite. If this plan required more than another, the additional number would form an objection, which, were the difference to a certain degree considerable, might rise so high as to be conclusive: so far from it, that a greater multitude than ever were yet lodged in one house might be inspected by a single person; for the trouble of inspection is diminished in no less proportion than the strictness of inspection is increased.

Another very important advantage, whatever purposes the plan may be applied to, particularly where it is applied to the severest and most coercive purposes, is, that the *under* keepers or inspectors, the servants and subordinates of every kind, will be under the same irresistible control with respect to the *head* keeper or inspector, as the prisoners or other persons to be governed are with respect to *them*. On the common plans, what means, what possibility, has the prisoner of appealing to the humanity of the principal for redress against the neglect or oppression of subordinates in that rigid sphere, but the *few* opportunities which, in a crowded prison, the most conscientious keeper *can* afford—but the none at all which many a keeper *thinks* fit to give them? How different would their lot be upon this plan!

In no instance could his subordinates either perform or depart from their duty, but he must know the time and degree and manner of their doing so. It presents an answer, and that a satisfactory one, to one of the most puzzling of political questions—*quis custodiet ipsos custodes?*[1] And, as the fulfilling of his, as well as their, duty would be rendered so much easier, than it can ever have been hitherto, so might, and so should any departure from it be punished with the more inflexible severity. It is this circumstance that renders the influence of this plan not less beneficial to what is called *liberty*, than to necessary coercion; not less powerful as a control upon subordinate power, than as a curb to delinquency; as a shield to innocence, than as a scourge to guilt.

Another advantage, still operating to the same ends, is the great load of trouble and disgust which it takes off the shoulders of those occasional inspectors of a higher order, such as *judges* and other *magistrates*, who, called down to this irksome task from the superior ranks of life, cannot but feel a proportionable repugnance to the discharge of it. Think how it is with them upon the present plans, and how it still must be upon the best plans that have been hitherto devised! The cells or apartments, however constructed, must, if there be nine hundred of them (as there were to have been upon the penitentiary-house plan,) be opened to the visitors, one by one. To do their business to any purpose, they must approach near to, and come almost in contact with each inhabitant; whose situation being watched over according to no other than the loose methods of inspection at present practicable, will on that account require the more minute and troublesome investigation on the part of these occasional superintendents. By this new plan, the disgust is entirely removed, and the trouble of going into such a room as the lodge, is no more than the trouble of going into any other.

Were *Newgate* upon this plan, all Newgate might be inspected by a quarter of an hour's visit to Mr. Akerman.[2]

Among the other causes of that reluctance, none at present so forcible, none so unhappily well grounded, none which affords so natural an excuse, nor so strong a reason against accepting of any excuse, as the danger of *infection*—a circumstance which carries death, in one of its most tremendous forms, from the seat of guilt to the seat of justice, involving in one common catastrophe the violator and the upholder of the laws. But in a spot so constructed, and under a course of discipline so insured, how should infection ever arise? or how should it continue? Against every danger of this kind, what private house of the poor, one might almost say, or even of the most opulent, can be equally secure?

Nor is the disagreeableness of the task of superintendence diminished by this plan, in a much greater degree than the efficacy of it is increased. On all others, be the superintendent's visit ever so unexpected, and his motions ever so quick, time there must always be for preparations blinding the real state of things. Out of nine hundred cells, he can visit but one at a time, and, in the meanwhile, the worst of the others may be arranged, and the inhabitants threatened, and tutored how to receive him. On this plan, no sooner is the superintendent announced, than the whole scene opens instantaneously to his view.

In mentioning inspectors and superintendents who are such by office, I must not overlook that system of inspection, which, however little heeded, will not be the less useful and efficacious: I mean, the part which individuals may be disposed to take in the business, without intending, perhaps, or even without thinking of, any other effects of their visits, than the gratification of their own particular curiosity. What the inspector's or keeper's family are with respect to him, that, and more, will these spontaneous visitors be to the superintendent,—assistants, deputies, in so far as he is faithful, witnesses and judges should he ever be unfaithful, to his trust. So as they are but there, what the motives were that drew them thither is perfectly immaterial; whether the relieving of their anxieties by the affecting prospect of their respective friends and relatives thus detained in durance,[1] or merely the satisfying that general curiosity, which an establishment, on various accounts so interesting to human feelings, may naturally be expected to excite.

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[1] *quis custodiet ipsos custodes?* Latin: who will guard the guardians?

[2] *Mr. Ackerman* Richard Ackerman, keeper in Bentham's time of Newgate Prison in London.

You see, I take for granted as a matter of course, that under the necessary regulations for preventing interruption and disturbance, the doors of these establishments will be, as, without very special reasons to the contrary, the doors of all public establishments ought to be, thrown wide open to the body of the curious at large—the great *open committee* of the tribunal of the world. And who ever objects to such publicity, where it is practicable, but those whose motives for objection afford the strongest reasons for it?

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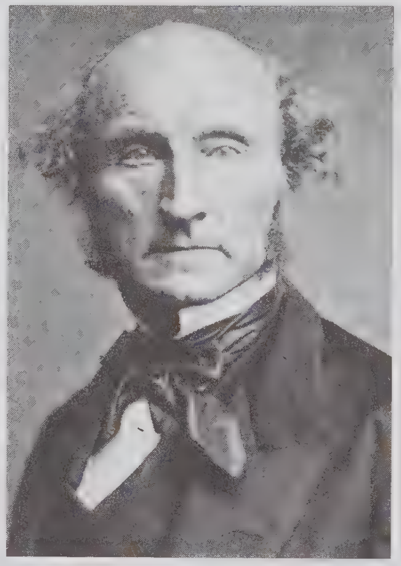
[1] *durance* Imprisonment.

JOHN STUART MILL
(1806 – 1873)

Who Was John Stuart Mill?

John Stuart Mill, the most important British philosopher of the nineteenth century, was born in London in 1806, the eldest son of Scottish utilitarian philosopher and political radical James Mill (1773–1836). His childhood was shaped—some might say, misshaped—by his father's fervent belief in the importance of education. James Mill held that every variation in the talents and capacities of individual human beings could be explained by their education and experiences, and therefore he believed that a proper educational regime, beginning more or less from birth, could train any child to be an almost superhuman intellect. To prove these theories, Mill raised his first son, John Stuart, to be the British radical movement's secret weapon—a prodigious intellect who would be a living demonstration of what could be achieved through properly scientific educational methods, and who would go out into the world to spread the secular gospel of utilitarianism and liberalism.



His father took sole charge of little John Stuart's education from the time when he was a toddler, keeping him isolated from other children (who might be harmful influences) and even from other adults who were not Mill's own philosophical compatriots. John was therefore kept out of schools—which his father believed reinforced ignorant and immoral social attitudes—and educated at home, learning Greek and Latin in the same large study where his father was hard at work on a monumental history of India (and, since no English-Greek dictionary had yet been written, frequently interrupting his father to ask questions about vocabulary). In his autobiography, the younger Mill wrote, "I have no remembrance of the time when I began to learn Greek. I have been told that it was when I was three years old." By the time he was 8—the age at which he began to learn Latin and arithmetic—he had studied much of Greek literature in the original, including all of Herodotus' *Histories* and six dialogues by Plato. At 12 he started on logic and the serious study of philosophy; political economy began at 13; and at 20 he was sent to France for a year to become fluent in that language and to study chemistry and mathematics.[1]

Despite these prodigious achievements, Mill's early life seems not to have been a happy one. He had no toys or children's books—not so much, apparently, because his father forbade them as simply because it never occurred to him to provide them—and John Stuart later remarked that he had never learned to play. Until he was 14 he never really mixed with children his own age at all. An early draft of his autobiography contained the following passage, deleted before publication:

> I believe there is less personal affection in England than in any other country of which I know anything, and I give my father's family not as peculiar in this respect but only as a faithful exemplification of the ordinary fact. That rarity in England, a really warm hearted mother, would in the first place have made the children grow up loving and being loved. But my mother with the very best intentions, only knew how to pass her life in drudging for them ... but to make herself loved, looked up to, or even obeyed, required qualities which she unfortunately did not possess. I thus grew up in the absence of love and in the presence of fear: and many and indelible are the effects of this bringing-up, in the stunting of my moral growth.

At the age of 22, Mill suffered a nervous breakdown and was plunged into suicidal despair. The trigger—according to his autobiography—was a sudden realization that living the life for which his father had trained him could not make him happy:

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[1] At around this time Mill was offered a place at Cambridge University. His father refused it for him, saying he already knew more than Cambridge could ever teach him.

> ... [I]t occurred to me to put the question directly to myself, "Suppose that all your objects in life were realized; that all the changes in institutions and opinions which you are looking forward to, could be completely effected this very instant: would this be a great joy and happiness to you?" And an irrepressible self-consciousness distinctly answered, "No!" At this my heart sank within me: the whole foundation on which my life was constructed fell down. All my happiness was to have been found in the continual pursuit of this end. The end had ceased to charm, and how could there ever again be any interest in the means? I seemed to have nothing left to live for.

Mill's response to this crisis was not to *abandon* utilitarianism and the radical philosophy of his father, but instead to *modify* the theories by which he had been brought up. He came to adopt the view that "those only are happy ... who have their minds fixed on some object other than their own happiness": that is, true happiness—which, as his father had taught him, is the measure of all action—comes not from the pursuit of one's own happiness in itself, but from living a life filled with concern for the happiness of others and with a love of other things, such as poetry and music, for their own sake. Mill, in fact, claimed his sanity was saved by his discovery of Romantic poetry—especially that of William Wordsworth (1770–1850), Samuel Taylor Coleridge (1772–1834), and Johann Wolfgang von Goethe (1749–1832)—and he later placed great emphasis on the proper development of the emotional and sentimental side of one's character, as well as one's intellect.

In 1830, at 24, Mill began a deeply passionate love affair with a beautiful, vivacious, but married woman, Harriet Hardy Taylor (b. 1807), the wife of John Taylor, a merchant. Mill's relationship with Harriet was central to his life, and she had a great influence on his writings. For 15 years, between 1834 and John Taylor's death in 1849, Harriet and the two Johns lived out a curiously Victorian compromise: Harriet and Mill agreed never to be seen in "society" as a couple—which would cause a scandal—but were allowed by Harriet's husband to go on frequent holidays together. In 1851, two years after her husband's death, Harriet and Mill were finally able to marry, but in 1858, Harriet died of tuberculosis—a disease she probably caught from her new husband, who in turn had probably caught it from his father, who had died of TB in 1836.

Mill never held an academic position, but he spent 35 years working as an administrator for the British East India Company in London. The East India Company, which had also employed Mill's father, was a private trading company formed in 1600 which, by the end of the eighteenth century, had its own army and political service and was effectively administering the sub-continent of India on behalf of the British government. Mill started his career in 1823, at 17, as a clerk in the office of the Examiner of India Correspondence; by 1856 he had become Chief Examiner of India Correspondence, as his father had been before him. In 1858 the East India Company was taken over by the British Crown following the Indian Rebellion of 1857, and Mill retired with a substantial pension.

Mill's work for the company left him plenty of time for his writing, and he was also very active in public life. In 1823 he was arrested for distributing birth-control pamphlets, and in 1825 he helped to found the London Debating Society. In 1824 his father had founded the *Westminster Review*, a quarterly magazine advocating a radically liberal political and social agenda, and John Stuart—only 18 years old at the time of its founding—was a frequent and enthusiastic contributor of articles during its early years. In 1835 he started his own radical periodical, the *London Review*, which soon became the influential *London and Westminster Review* and ran, under his editorship, until 1840. Between 1865 and 1868 Mill was the Liberal Member of Parliament for Westminster, and in 1866 he secured a law guaranteeing freedom of speech in London's Hyde Park.[1] In 1867 he tried, but failed, to amend the second Reform Bill to introduce proportional representation and the vote for women. In 1866—by now something of a "grand old man" of English society—he was made Rector of the University of St. Andrews in Scotland. In 1872 he became godfather to the newborn Bertrand Russell.

Mill died suddenly, from a fever, in 1873, at Aix-en-Provence, France. From about 1860 until 1870 he had been at the peak of his powers and influence. The moral philosopher Henry Sidgwick wrote in 1873, "from about 1860–1865 or thereabouts he ruled England in the region of thought as very few men ever did. I do not expect to see anything like it again." A few decades later the former prime minister James Arthur Balfour noted that the authority of Mill's thought in English universities had been "comparable to that wielded ... by Hegel in Germany and in the middle ages by Aristotle." By the First World War, however, Mill's reputation as a philosopher had suffered a precipitous decline, and he remained in ill-favor in the English-speaking philosophical world until the early 1970s, when new scholarship and changing philosophical fashions made possible a gradual increase in the appreciation of Mill as a major philosophical figure—the finest flowering of nineteenth-century British philosophy, and a precursor for the "naturalist" philosophers of the second half of the twentieth century.

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[1] This is the location, since that date, of London's famous Speakers' Corner—a place where "soapbox orators" can say whatever they like with legal impunity.

What Was Mill's Overall Philosophical Project?

Mill is important less for the *originality* of his philosophic thought than for his brilliant *synthesis* of several major strands in nineteenth-century (and especially British) thought into a single, compelling, well-developed picture. The main ingredients for his worldview were empiricism, associationism, utilitarianism, and elements of German Romanticism. Together, these elements became what John Skorupski has called Mill's "liberal naturalism."

The bedrock of Mill's philosophy is empiricism: he believed all human knowledge comes ultimately from sense-experience, and his most substantial intellectual project was the attempt to construct a system of empirical knowledge that could underpin not just science but also moral and social affairs. One of his main interests was in showing that empiricism need not lead to skepticism, such as that espoused by Scottish philosopher David Hume (1711–76). Mill's main discussion of the foundation of knowledge and the principles of inference is the massive *System of Logic*, published in six volumes in 1843. In this work he discusses both deductive inference (including mathematics, which Mill argues is—like all human knowledge—reducible to a set of generalizations of relations among sense-experiences) and inductive inference in the natural sciences. He also tries to show how these methods can be applied in politics and the social sciences. Social phenomena, he argues, are just as much the result of causal laws as are natural events, and thus the social sciences—though they will never make us perfectly able to predict human behavior—are capable of putting social policy on an objective footing that goes beyond the mere "intuitions" of conservative common sense.

His prescriptions for scientific practice—today called "Mill's methods"—were highly influential in the development of the philosophy of science in the twentieth century, and his work is still the foundation of modern methodologies for discovering causal laws. The key engine of science, for Mill, is simply *enumerative induction* or generalization from experience. Crudely put, once we have observed a sequence of events that all obey some regularity—ravens that are black, say, or moving magnetic fields being accompanied by an electrical current—we are justified in inferring that all future events of that type will follow the same law.

Mill's work was also a precursor of what is today called "naturalized epistemology." He proposed that all the phenomena of the human mind, including rationality, be treated as the result of the operation of psychological laws acting upon the data of experience. This psychological theory is called *associationism*—since it holds that ideas arise from the psychological associations between sensations—and is particularly defended by Mill in his *Examination of Sir William Hamilton's Philosophy* (1865).

In his own time, Mill was for many years most widely known for his *Principles of Political Economy* (1848), which tried to show that the science of economics—criticized in his day as a "dismal science" that could predict only disaster and starvation—could be reformulated as a progressive force for social progress. Mill pointed out the mismatch between what economics measures and what human beings really value, and this led him to argue for limiting economic growth for the sake of the environment, for controlling populations in order to allow an adequate standard of living for everyone, and for what he considered the economically ideal form of society—a system of worker-owned cooperatives.

Mill's main ethical position, of course, is utilitarianism. As he wrote in his autobiography, of reading Jeremy Bentham's work on utilitarianism (at the age of 15), "it gave unity to my conceptions of things. I now had opinions; a creed, a doctrine, a philosophy; in one among all the best senses of the word, a religion; the inculcation and diffusion of which could be made the principal outward purpose of a life." Mill was also concerned to apply this moral theory to wider questions of social policy. Of all social institutions—including both formal institutions such as laws and churches, and informal ones like social norms—Mill wants to ask: does this institution contribute to human welfare, and does it do so better than any of the alternatives? If the answer is "No," Mill argues, then that institution should (gradually and non-violently) be changed for the better.

Mill's *On Liberty* (1859)—which, during his lifetime, was probably his most notorious writing—is a classic defence of the freedom of thought and discussion, arguing that "the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant." This essay was sparked partly by Mill's growing fear of the middle-class conformism (which he saw in America and detected increasing signs of in Britain) that he thought dangerously stifled originality and the critical consideration of ideas. Central to these concerns is Mill's view of human nature as "progressive," as well as the importance of individuality and autonomy. These themes, with their emphasis on the power and importance of the human spirit, were part of what he took from the European Romantic movement.

One of Mill's last works, *The Subjection of Women* (1869), is a classic statement of liberal feminism. Mill argues that women should have just as much freedom as men, and he attacks the conservative view that women and men have different "natures" that suit them for different spheres of life by arguing that no one could possibly know this—since all knowledge comes only from experience—unless women were first allowed to throw off their oppression and, over several generations, try to do all the things that men were allowed to do.

What Is the Structure of These Readings?

On Liberty begins with a clarification of its subject matter: Mill tells us that he will be dealing with "civil or social liberty," rather than with "liberty of the will" [free will]. It might seem that democratic government automatically produces civil liberty, but Mill is concerned with the danger that democracy will open the way for "tyranny of the majority." His cure for this is his central principle of liberty: that the only actions that should be subject to civil control are those that harm others—not those that might harm only the agent himself. He goes on to add that this principle does not prevent attempting to persuade others; and lists some minor exceptions to his rule. The justification of this principle, he argues, is utilitarian. Chapter 2 is primarily concerned with freedom of speech. The general idea here is that this will promote truth, by allowing free competition between diverse opinions, and by encouraging the habits of open-minded consideration of alternatives and rational defense of one's own position. Chapter 3 treats freedom of action. Mill argues here that this will enhance happiness and human progress through the encouragement of experimentation and individuality. Chapter 4 considers when social control is justified. Mill argues that it is when the aim is to prevent individuals from harming the interests of others that are considered rights, and to make sure individuals share the task of defending society and other individuals from harm. Otherwise, society should not interfere; and Mill argues carefully, and at length, that society is not justified in interfering when only the individual's own welfare is at stake. Chapter 5 considers various applications of Mill's position.

Considerations on Representative Government was published in 1861. As in the case of all of his political works, his defense of that form of government is on utilitarian grounds: he argues that (in the ideal case, anyway) it is better than any alternative at encouraging individuality (always a primary concern for Mill). It does this by getting people actively involved in the political process, by exercising their intelligence and their socially directed moral concerns. He goes on to discuss his chief worry about representative democracy: that it can exercise tyranny of the majority, oppressing groups such as the blacks in America, the Catholics in the north of Ireland and the Protestants in the south of Ireland, the poor in all countries. He proposes various ways to ensure that they are adequately represented, endorsing for example the idea of proportional representation, and giving voting rights to women and the poor. Excerpts reprinted here apply utilitarian considerations to particular political issues: the secret ballot and nationalism.

Utilitarianism was not written as a scholarly treatise but as a sequence of articles, published in a monthly magazine and intended for the general educated reader: consequently, although *Utilitarianism* is philosophically weighty and—just below the surface—often difficult, its overall structure is quite straightforward. Mill begins by making some general remarks in the first chapter, attacking moral intuitionism and suggesting, among other things, that the principle of utilitarianism has always had a major tacit influence on moral beliefs. In Chapter 2 he defines utilitarianism, attempts to head off several common misunderstandings of the doctrine, and raises and responds to about ten possible objections to the theory (such as that utilitarianism is a godless morality worthy only of pigs, or alternatively that it sets an impracticably high standard that can never be attained by mere mortal human beings). In the third chapter, Mill considers the question of moral motivation and discusses how people might come to feel themselves morally bound by the principles of utilitarianism, arguing that utilitarianism is grounded in the natural social feelings of humanity. In Chapter 4 Mill sets out to give a positive "proof" (insofar as that is possible) for the claim that utilitarianism is the correct moral theory: he argues, first, that one's own happiness is desirable to oneself; second, that it follows that happiness is simply desirable in itself, no matter whose it is; and third, that *only* happiness is intrinsically desirable. It is this third stage in the argument that takes up most of the chapter. The final chapter of *Utilitarianism* is a long discussion dealing with the relationship between utilitarianism and justice.

Mill had been working for years with his wife Harriet Taylor on a book about the place of women in society when she died in 1858. He continued working on the book with her daughter Helen, finishing it a couple of years later. *The Subjection of Women* was published in 1869, under his name alone; nevertheless, he wrote "Whoever, either now or hereafter, may think of me and my work I have done, must never forget that it is the product not of one intellect and conscience but of three, the least considerable of whom, and above all the least original, is the one whose name is attached to it." The book is divided into four chapters. The first one introduces his position: that the "legal subordination of one sex to the other is wrong in itself, and now one of the chief hindrances to human improvement; and that it ought to be replaced by a principle of perfect equality, admitting no power or privilege on the one side, nor disability on the other." The fact that women have traditionally been subordinate to men gives no reason to think that this is a good social arrangement. In the second chapter he considers the marriage laws of nineteenth-century England, and argues for equality in the family. The third chapter considers employment, and argues for the equal competence of women in many jobs from which they have been traditionally, sometimes legally, excluded. In the last chapter, Mill considers what good—in utilitarian terms, what gains in human happiness for all—might result from the emancipation of women.

Some Useful Background Information

i) Mill frames much of *Utilitarianism* in terms of a debate between two basic positions on the nature of morality: the "intuitive" school and the "inductive" school. The intuitionists, whom Mill attacks, believed that ethical facts—though as real and as objectively true as any others—are *non-empirical*: that is, moral truths cannot be detected or confirmed using the five senses, but instead are known through the special faculty of "moral intuition." This philosophical position was represented in Mill's time by, among others, Sir William Hamilton (1788–1856) and William Whewell (1794–1866), and Mill's frequent criticism of the notion of "transcendental" moral facts is directed at intuitionists such as them. Mill considered intuitionism to be not only false but also a serious obstacle to social and moral progress. He thought the claim that (educated) human beings can "just tell" which moral principles are true, without needing or being able to cite evidence for these beliefs, tended to act as a disguise for prejudice and social conservatism. Mill's own moral methodology, by contrast, was what he called "inductive": he believed that *all* human knowledge, including ethical knowledge, comes ultimately from sense experience, and therefore that moral judgments must be explained and defended by showing their connections to actual human experience.

ii) The notion of *happiness* is a very important part of Mill's moral philosophy, so it is useful to be clear about exactly what his theory of happiness is. Because of Mill's empiricist and associationist philosophical upbringing, it was most natural for him to adopt a kind of hedonistic view of happiness. In keeping with his emphasis on sense experience as the key to understanding knowledge and the mind, Mill thinks of happiness as a kind of *pleasurable mental state* (*hēdonē* is the classical Greek word for "pleasure"). For Mill, a happy life is, roughly, one filled with as many pleasurable sensations, and as few painful ones, as possible.

Mill followed his philosophical predecessors in thinking that pleasurable experiences can be classified according to their duration and their intensity: thus rational people seeking their own happiness will aim to arrange their lives so that, over time, they will have more longer-lasting pleasures than short-lived ones, and more intense pleasures than dilute ones. For example, the initial painfulness of learning the violin might be more than offset by the intense and long-lasting pleasure of playing it well.[1] In addition, however, Mill distinguishes between different *qualities* of pleasure. For Mill (unlike, say, Bentham), pleasure is not just one type of mental sensation but comes in "higher" and "lower" varieties. For example, according to Mill, the pleasant feeling that accompanies advanced intellectual or creative activity is a more valuable kind of pleasure—even if it is no more intense or long-lasting—than that which comes from physical satisfactions like eating and sex.

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[1] Mill's mentor Jeremy Bentham (1748–1832) even proposed what he called a "felicific calculus": a mathematical system

iii) One of Mill's philosophical presuppositions that is significant for his moral and social philosophy is *individualism*. Mill assumed that individual persons are the basic unit of political analysis—that social structures are nothing more than constructions out of these individuals and are nothing over and above particular people and the relations between them. It follows that the analysis of social phenomena must be approached through a study of the actions and intentions of individuals, and similarly that social change is possible only through a large number of changes to individual people. What matters to Mill is not "the general happiness" in some abstract sense, but the happiness of large numbers of individual human beings. He views social institutions as merely *instruments* for benefiting all these people. Furthermore, for Mill (influenced, as he was, by European Romanticism), there is a special kind of *value* in individuality: the particular uniqueness of each person is a thing to be treasured in itself.

iv) Some of the argumentation in *The Subjection of Women* may seem overly long or unnecessary for today's reader, insisting on and defending what now seems to be obvious. It's important, though, to bear in mind that in Mill's day his claims were considered extremely radical, and he believed, with reason, that they all needed thorough justification.

Some Common Misconceptions

i) For Mill, mere *exemption* from pain is not itself a good. He holds that pleasure is the only good, and pain the only bad, and the overall goodness of states of affairs consists in the *balance* of pleasure over pain. The absence of pain is thus merely morally neutral, unless it is accompanied by the positive presence of pleasure.

ii) Mill is not arguing that people already *do* act in order to produce the greatest happiness of the greatest number: he is arguing that we *should*. He is not merely describing an already prevalent moral psychology, but arguing for a certain set of moral attitudes that he thinks we ought to cultivate in ourselves and in society in general.

iii) Utilitarianism is a theory of actions and not motives. It does not require that people *intend* to maximize utility but rather that their behavior, in fact, does so. Mill insists that the criterion for what makes an action right is that it maximize utility; it does not follow from this that all our actions must have the conscious goal of maximizing utility. In fact, there is a good case to be made that a community where everyone is *trying* to maximize utility all the time would actually be self-defeating and a much less happy society than it would be if people acted from other motivations. If this is right, it would follow that, according to utilitarianism itself, it would be immoral to be always consciously trying to maximize utility. This is not a paradox or a problem for the theory, however; it simply shows there is a difference between the criterion of right action and the best advice one can give moral agents for actually meeting that criterion.

Actions, according to Mill, include within themselves two parts: an *intention* (which is different from a motive—it is not *why* the action is done but *what* the action is intended to achieve), and the action's *effects*. Mill sometimes appeals to differences of intention to distinguish between kinds of actions (as in his Chapter 3 footnote about a tyrant rescuing a drowning man), but, strictly speaking, only the *effects* or consequences of an action can be morally relevant in Mill's view.

iv) One common complaint against utilitarianism is that it makes *every* action, no matter how trivial, a moral issue: pretty much everything we do (e.g., getting a haircut) will have *some* effect on someone's pleasure and pain, and so it appears we have a moral duty to ensure we *always* act in such a way as to maximize the general happiness—and this, to say the least, would seem to put a bit of a strain on everyday life. However, even if this is, in fact, an implication of Mill's utilitarian theory, he did not intend to commit us to such an onerous regime. Something that Mill writes elsewhere (in *Auguste Comte and Positivism* [1865]) is illumin-

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for measuring the total net quantity of pleasure to be expected from a given course of action. Roughly, calculate the balance of pleasure and pain that would accompany a particular outcome of your actions—taking into account their intensity and duration—and then multiply this number by the probability of that outcome actually occurring. This yields what Bentham called the "expected utility" of an action. The rational agent—according to Bentham—acts in a way that has the greatest expected utility. See Chapter 4 of Bentham's *An Introduction to the Principles of Morals and Legislation* on pp. 544–46.

ating in this regard: "It is not good that persons should be bound, by other people's opinion, to do everything that they would deserve praise for doing. There is a standard of altruism to which all should be required to come up, and a degree beyond which it is not obligatory, but meritorious."

v) Despite how *Utilitarianism* can strike us today, in the aftermath of the grand and often massively destructive social-engineering projects of the twentieth century, Mill was actually a bitter foe of what might be called "social constructivism." He emphatically did *not* see society as merely a machine built to help human beings to live together, a machine that can be broken into bits and reconstructed if it is not working optimally, and one where the rational, technical vision of collective planners should override individual initiative in the public good. On the contrary, Mill was very much an individualist and a humanist. He saw society as built from the actions of separate individual human beings and held that it is a kind of historical "consensus" that has created traditions and cultural practices that are continually but gradually evolving over time. Mill's vision for the reform of society, then, was not the imposition of central planning, but instead the gradual construction of a set of cultural norms—including, especially, a progressive educational system—to create human beings with the best possible moral character.

vi) Despite the obvious radical (for his day) feminism in *The Subjection of Women*, it is interesting that Mill is not entirely free of what some would count as sexist views about the place of women in the family and in society. He held, for example, that it can be assumed in general that a woman choosing to be married is voluntarily undertaking the management of the household and the raising of children as her first priority; and that it is in general undesirable for this reason that they work outside the home. And while he urged that women be accepted in roles traditionally assigned to men, he did not also suggest that men assume traditionally female roles.

How Important and Influential Are These Works?

John Stuart Mill did not *invent* utilitarianism (and never pretended to have done so). Indeed, he was brought up by people who already considered themselves utilitarians. Mill's importance to utilitarianism is that he gave it what is arguably its single greatest and most influential formulation, in the essay *Utilitarianism*. It is this work that, ever since it was written, has been the starting point for both defenders and foes of utilitarianism. Furthermore, utilitarianism is itself a very important and influential moral theory. Along with Marxism, it was arguably the most prevalent moral theory among philosophers, economists, political scientists, and other social theorists for much of the twentieth century (completely eclipsing—or in some cases, as with G.E. Moore's moral philosophy, absorbing—the moral "intuitionism" that Mill saw as his theory's main competitor in 1861). Utilitarianism's influence has waned since the 1970s and it has been subjected to several damaging philosophical attacks, but it is still, uncontroversially, one of the four or five most discussed and appealed-to moral theories in contemporary philosophical discourse.

Mill's book on the status of women was strongly influential on radical thought, though of course it generated a great deal of opposition. The women's movement relied on the book for philosophical justification, and it has always been counted as a classic of liberal feminism.

On Liberty remains one of the central works of liberalism, and its defense of freedom of thought and speech continues to inspire political theorists. Though Mill's form of liberalism has suffered repeated attacks and changes of fashion, few would deny its influence and importance.

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On Liberty (1859)

from *Chapter 1: Introductory*

[...]

The object of this Essay is to assert one very simple principle, as entitled to govern absolutely the dealings of society with the individual in the way of compulsion and control, whether the means used be physical force in the form of legal penalties, or the moral coercion of public opinion. That principle is, that the sole end for which mankind are warranted, individually or collectively in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinions of others, to do so would be wise, or even right. These are good reasons for remonstrating with him, or reasoning with him, or persuading him, or entreating him, but not for compelling him, or visiting him with any evil, in case he do otherwise. To justify that, the conduct from which it is desired to deter him must be calculated to produce evil to some one else. The only part of the conduct of any one, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign.

It is, perhaps, hardly necessary to say that this doctrine is meant to apply only to human beings in the maturity of their faculties. We are not speaking of children, or of young persons below the age which the law may fix as that of manhood or womanhood. Those who are still in a state to require being taken care of by others, must be protected against their own actions as well as against external injury. For the same reason, we may leave out of consideration those backward states of society in which the race itself may be considered as in its nonage.[1] The early difficulties in the way of spontaneous progress are so great, that there is seldom any choice of means for overcoming them; and a ruler full of the spirit of improvement is warranted in the use of any expedients that will attain an end, perhaps otherwise unattainable. Despotism is a legitimate mode of government in dealing with barbarians, provided the end be their improvement, and the means justified by actually effecting that end. Liberty, as a principle, has no application to any state of things anterior to the time when mankind have become capable of being improved by free and equal discussion. Until then, there is nothing for them but implicit obedience to an Akbar or a Charlemagne,[2] if they are so fortunate as to find one. But as soon as mankind have attained the capacity of being guided to their own improvement by conviction or persuasion (a period long since reached in all nations with whom we need here concern ourselves), compulsion, either in the direct form or in that of pains and penalties for non-compliance, is no longer admissible as a means to their own good, and justifiable only for the security of others.

It is proper to state that I forego any advantage which could be derived to my argument from the idea of abstract right as a thing independent of utility. I regard utility as the ultimate appeal on all ethical questions; but it must be utility in the largest sense, grounded on the permanent interests of man as a progressive being. Those interests, I contend, authorize the subjection of individual spontaneity to external control, only in respect to those actions of each, which concern the interest of other people. If any one does an act hurtful to others, there is a prima facie[3] case for punishing him, by law, or, where legal penalties are not safely applicable, by general disapprobation. There are also many positive acts for the benefit of others, which he may rightfully be compelled to perform; such as, to give evidence in a court of justice; to bear his fair share in the common defense, or in any other joint work necessary to the interest of the society of which he enjoys the protection; and to perform certain acts of individual beneficence, such as saving a fellow-creature's life, or interposing to protect the defenseless against ill-usage, things which whenever it is obviously a man's duty to do, he may rightfully be made responsible to society for not doing. A person may cause evil to others not only by his actions but by his inaction, and in neither case he is justly accountable to them for the injury. The latter case, it is true, requires a much more cautious exercise of compulsion than the former. To make any one answerable for doing evil to others, is the rule; to make him answerable for not preventing evil, is, comparatively speaking, the exception. Yet there are many cases clear enough and grave enough to justify that exception. In all things which regard the external relations of the individual, he is *de jure*[4] amenable to those whose interests are concerned, and if need be, to society as their protector. There are often good reasons for not holding him to the responsibility; but these reasons must arise from the special expediencies of the case: either because it is a kind of case in which he is on the whole likely to act better, when left to his own discretion, than when controlled in any way in which society have it in their power to control him; or because the attempt to exercise control would produce other evils, greater than those which it would prevent. When such reasons as these preclude the enforcement of responsibility, the conscience of the agent himself should step into the vacant judgment-seat, and protect those interests of others which have no external protection; judging himself all the more rigidly, because the case does not admit of his being made accountable to the judgment of his fellow-creatures.

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[1] *in its nonage* Below the age of responsibility.

[2] *Akbar ... Charlemagne* Great, widely respected, historically important, but autocratic rulers—Akbar of Northern India at the end of the sixteenth century, Charlemagne of much of Europe, late eighth, early ninth centuries.

[3] *prima facie* [Latin: on its face] At first sight.

[4] *de jure* By law.

But there is a sphere of action in which society, as distinguished from the individual, has, if any, only an indirect interest; comprehending all that portion of a person's life and conduct which affects only himself, or, if it also affects others, only with their free, voluntary, and undeceived consent and participation. When I say only himself, I mean directly, and in the first instance: for whatever affects himself, may affect others through himself; and the objection which may be grounded on this contingency, will receive consideration in the sequel. This, then, is the appropriate region of human liberty. It comprises, first, the inward domain of consciousness; demanding liberty of conscience, in the most comprehensive sense; liberty of thought and feeling; absolute freedom of opinion and sentiment on all subjects, practical or speculative, scientific, moral, or theological. The liberty of expressing and publishing opinions may seem to fall under a different principle, since it belongs to that part of the conduct of an individual which concerns other people; but, being almost of as much importance as the liberty of thought itself, and resting in great part on the same reasons, is practically inseparable from it. Secondly, the principle requires liberty of tastes and pursuits; of framing the plan of our life to suit our own character; of doing as we like, subject to such consequences as may follow; without impediment from our fellow-creatures, so long as what we do does not harm them even though they should think our conduct foolish, perverse, or wrong. Thirdly, from this liberty of each individual, follows the liberty, within the same limits, of combination among individuals; freedom to unite, for any purpose not involving harm to others: the persons combining being supposed to be of full age, and not forced or deceived.

No society in which these liberties are not, on the whole, respected, is free, whatever may be its form of government; and none is completely free in which they do not exist absolute and unqualified. The only freedom which deserves the name, is that of pursuing our own good in our own way, so long as we do not attempt to deprive others of theirs, or impede their efforts to obtain it. Each is the proper guardian of his own health, whether bodily, or mental or spiritual. Mankind are greater gainers by suffering each other to live as seems good to themselves, than by compelling each to live as seems good to the rest.

[...]

It will be convenient for the argument, if, instead of at once entering upon the general thesis, we confine ourselves in the first instance to a single branch of it, on which the principle here stated is, if not fully, yet to a certain point, recognized by the current opinions. This one branch is the Liberty of Thought: from which it is impossible to separate the cognate[1] liberty of speaking and of writing. Although these liberties, to some considerable amount, form part of the political morality of all countries which profess religious toleration and free institutions, the grounds, both philosophical and practical, on which they rest, are perhaps not so familiar to the general mind, nor so thoroughly appreciated by many even of the leaders of opinion, as might have been expected. Those grounds, when rightly understood, are of much wider application than to only one division of the subject, and a thorough consideration of this part of the question will be found the best introduction to the remainder. Those to whom nothing which I am about to say will be new, may therefore, I hope, excuse me, if on a subject which for now three centuries has been so often discussed, I venture on one discussion more.

from *Chapter 2: Of the Liberty of Thought and Discussion*

The time, it is to be hoped, is gone by when any defense would be necessary of the "liberty of the press" as one of the securities against corrupt or tyrannical government. No argument, we may suppose, can now be needed, against permitting a legislature or an executive, not identified in interest with the people, to prescribe opinions to them, and determine what doctrines or what arguments they shall be allowed to hear. This aspect of the question, besides, has been so often and so triumphantly enforced by preceding writers, that it needs not be specially insisted on in this place. Though the law of England, on the subject of the press, is as servile to this day as it was in the time of the Tudors, there is little danger of its being actually put in force against political discussion, except during some temporary panic, when fear of insurrection drives ministers and judges from their propriety;[2] and, speaking generally, it is not, in constitutional countries, to be apprehended that the government, whether completely responsible to the people or not, will often attempt to control the expression of opinion, except when in doing so it makes itself the organ of the general intolerance of the public. Let us suppose, therefore, that the government is entirely at one with the people, and never thinks of exerting any power of coercion unless in agreement with what it conceives to be their voice. But I deny the right of the people to exercise such coercion, either by themselves or by their government. The power itself is illegitimate. The best government has no more title to it than the worst. It is as noxious, or more noxious, when exerted in accordance with public opinion, than when in opposition to it. If all mankind minus one, were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind. Were an opinion a personal possession of no value except to the owner; if to be obstructed in the enjoyment of it were simply a private injury, it would make some difference whether the injury was inflicted only on a few persons or on many. But the peculiar evil of silencing the expression of an opinion is, that it is robbing the human race; posterity as well as the existing generation; those who dissent from the opinion, still more than those who hold it. If the opinion is right, they are deprived of the opportunity of exchanging error for truth: if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error.

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[1] *cognate* Related.

[2] [Mill's footnote] These words had scarcely been written, when, as if to give them an emphatic contradiction, occurred the Government Press Prosecutions of 1858. That ill-judged interference with the liberty of public discussion has not, however, induced

It is necessary to consider separately these two hypotheses, each of which has a distinct branch of the argument corresponding to it. We can never be sure that the opinion we are endeavoring to stifle is a false opinion; and if we were sure, stifling it would be an evil still.

First: the opinion which it is attempted to suppress by authority may possibly be true. Those who desire to suppress it, of course deny its truth; but they are not infallible. They have no authority to decide the question for all mankind, and exclude every other person from the means of judging. To refuse a hearing to an opinion, because they are sure that it is false, is to assume that their certainty is the same thing as absolute certainty. All silencing of discussion is an assumption of infallibility. Its condemnation may be allowed to rest on this common argument, not the worse for being common.

Unfortunately for the good sense of mankind, the fact of their fallibility is far from carrying the weight in their practical judgment, which is always allowed to it in theory; for while every one well knows himself to be fallible, few think it necessary to take any precautions against their own fallibility, or admit the supposition that any opinion of which they feel very certain, may be one of the examples of the error to which they acknowledge themselves to be liable. Absolute princes, or others who are accustomed to unlimited deference, usually feel this complete confidence in their own opinions on nearly all subjects. People more happily situated, who sometimes hear their opinions disputed, and are not wholly unused to be set right when they are wrong, place the same unbounded reliance only on such of their opinions as are shared by all who surround them, or to whom they habitually defer: for in proportion to a man's want of confidence in his own solitary judgment, does he usually repose, with implicit trust, on the infallibility of "the world" in general. And the world, to each individual, means the part of it with which he comes in contact; his party, his sect, his church, his class of society: the man may be called, by comparison, almost liberal and large-minded to whom it means anything so comprehensive as his own country or his own age. Nor is his faith in this collective authority at all shaken by his being

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me to alter a single word in the text, nor has it at all weakened my conviction that, moments of panic excepted, the era of pains and penalties for political discussion has, in our own country, passed away. For, in the first place, the prosecutions were not persisted in; and in the second, they were never, properly speaking, political prosecutions. The offence charged was not that of criticizing institutions, or the acts or persons of rulers, but of circulating what was deemed an immoral doctrine, the lawfulness of Tyrannicide [assassination of a tyrant].

If the arguments of the present chapter are of any validity, there ought to exist the fullest liberty of professing and discussing, as a matter of ethical conviction, any doctrine, however immoral it may be considered. It would, therefore, be irrelevant and out of place to examine here, whether the doctrine of Tyrannicide deserves that title. I shall content myself with saying, that the subject has been at all times one of the open questions of morals, that the act of a private citizen in striking down a criminal, who, by raising himself above the law, has placed himself beyond the reach of legal punishment or control, has been accounted by whole nations, and by some of the best and wisest of men, not a crime, but an act of exalted virtue and that, right or wrong, it is not of the nature of assassination but of civil war. As such, I hold that the instigation to it, in a specific case, may be a proper subject of punishment, but only if an overt act has followed, and at least a probable connection can be established between the act and the instigation. Even then it is not a foreign government, but the very government assailed, which alone, in the exercise of self-defense, can legitimately punish attacks directed against its own existence.

aware that other ages, countries, sects, churches, classes, and parties have thought, and even now think, the exact reverse. He devolves upon[1] his own world the responsibility of being in the right against the dissentient[2] worlds of other people; and it never troubles him that mere accident has decided which of these numerous worlds is the object of his reliance, and that the same causes which make him a Churchman[3] in London, would have made him a Buddhist or a Confucian in Pekin.[4] Yet it is as evident in itself as any amount of argument can make it, that ages are no more infallible than individuals; every age having held many opinions which subsequent ages have deemed not only false but absurd; and it is as certain that many opinions, now general, will be rejected by future ages, as it is that many, once general, are rejected by the present.

The objection likely to be made to this argument, would probably take some such form as the following. There is no greater assumption of infallibility in forbidding the propagation of error, than in any other thing which is done by public authority on its own judgment and responsibility. Judgment is given to men that they may use it. Because it may be used erroneously, are men to be told that they ought not to use it at all? To prohibit what they think pernicious, is not claiming exemption from error, but fulfilling the duty incumbent on them, although fallible, of acting on their conscientious conviction. If we were never to act on our opinions, because those opinions may be wrong, we should leave all our interests uncared for, and all our duties unperformed. An objection which applies to all conduct can be no valid objection to any conduct in particular.

It is the duty of governments, and of individuals, to form the truest opinions they can; to form them carefully, and never impose them upon others unless they are quite sure of being right. But when they are sure (such reasoners may say), it is not conscientiousness but cowardice to shrink from acting on their opinions, and allow doctrines which they honestly think dangerous to the welfare of mankind, either in this life or in another, to be scattered abroad without restraint, because other people, in less enlightened times, have persecuted opinions now believed to be true. Let us take care, it may be said, not to make the same mistake: but governments and nations have made mistakes in other things, which are not denied to be fit subjects for the exercise of authority: they have laid on bad taxes, made unjust wars. Ought we therefore to lay on no taxes, and, under whatever provocation, make no wars? Men, and governments, must act to the best of their ability. There is no such thing as absolute certainty, but there is assurance sufficient for the purposes of human life. We may, and must, assume our opinion to be true for the guidance of our own conduct: and it is assuming no more when we forbid bad men to pervert society by the propagation of opinions which we regard as false and pernicious.

I answer, that it is assuming very much more. There is the greatest difference between presuming an opinion to be true, because, with every opportunity for contesting it, it has not been refuted, and assuming its truth for the purpose of not permitting its refutation. Complete liberty of contradicting and disproving our opinion, is the very condition which justifies us in assuming its truth for purposes of action; and on no other terms can a being with human faculties have any rational assurance of being right.

When we consider either the history of opinion, or the ordinary conduct of human life, to what is it to be ascribed that the one and the other are no worse than they are? Not certainly to the inherent force of the human understanding; for, on any matter not self-evident, there are ninety-nine persons totally incapable of judging of it, for one who is capable; and the capacity of the hundredth person is only comparative; for the majority of the eminent men of every past generation held many opinions now known to be erroneous, and did or approved numerous things which no one will now justify. Why is it, then, that there is on the whole a preponderance[5] among mankind of rational opinions and rational conduct? If there really is this preponderance—which there must be, unless human affairs are, and have always been, in an almost desperate state—it is owing to a quality of the human mind, the source of everything respectable in man, either as an intellectual or as a moral being, namely, that his errors are corrigible.[6] He is capable of rectifying his mistakes by discussion and experience. Not by experience alone. There must be discussion, to show how experience is to be interpreted. Wrong opinions and practices gradually yield to fact and argument: but facts and arguments, to produce any effect on the mind, must be brought before it. Very few facts are able to tell their own story, without comments to bring out their meaning.

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[1] *devolves upon* Gives to.

[2] *dissentient* Disagreeing.

[3] *Churchman* Member of the Church of England.

[4] *Pekin* Beijing.

[5] *preponderance* Majority.

[6] *corrigible* Capable of being corrected.

The whole strength and value, then, of human judgment, depending on the one property, that it can be set right when it is wrong, reliance can be placed on it only when the means of setting it right are kept constantly at hand. In the case of any person whose judgment is really deserving of confidence, how has it become so? Because he has kept his mind open to criticism of his opinions and conduct. Because it has been his practice to listen to all that could be said against him; to profit by as much of it as was just, and expound to himself, and upon occasion to others, the fallacy of what was fallacious. Because he has felt, that the only way in which a human being can make some approach to knowing the whole of a subject, is by hearing what can be said about it by persons of every variety of opinion, and studying all modes in which it can be looked at by every character of mind. No wise man ever acquired his wisdom in any mode but this; nor is it in the nature of human intellect to become wise in any other manner. The steady habit of correcting and completing his own opinion by collating[1] it with those of others, so far from causing doubt and hesitation in carrying it into practice, is the only stable foundation for a just reliance on it: for, being cognizant of all that can, at least obviously, be said against him, and having taken up his position against all gainsayers[2] knowing that he has sought for objections and difficulties, instead of avoiding them, and has shut out no light which can be thrown upon the subject from any quarter—he has a right to think his judgment better than that of any person, or any multitude, who have not gone through a similar process.

[...]

In the present age—which has been described as "destitute of faith, but terrified at skepticism"—in which people feel sure, not so much that their opinions are true, as that they should not know what to do without them—the claims of an opinion to be protected from public attack are rested not so much on its truth, as on its importance to society. There are, it is alleged, certain beliefs, so useful, not to say indispensable to well-being, that it is as much the duty of governments to uphold those beliefs, as to protect any other of the interests of society. In a case of such necessity, and so directly in the line of their duty, something less than infallibility may, it is maintained, warrant, and even bind, governments, to act on their own opinion, confirmed by the general opinion of mankind. It is also often argued, and still oftener thought, that none but bad men would desire to weaken these salutary beliefs; and there can be nothing wrong, it is thought, in restraining bad men, and prohibiting what only such men would wish to practice. This mode of thinking makes the justification of restraints on discussion not a question of the truth of doctrines, but of their usefulness; and flatters itself by that means to escape the responsibility of claiming to be an infallible judge of opinions. But those who thus satisfy themselves, do not perceive that the assumption of infallibility is merely shifted from one point to another. The usefulness of an opinion is itself matter of opinion: as disputable, as open to discussion and requiring discussion as much, as the opinion itself. There is the same need of an infallible judge of opinions to decide an opinion to be noxious, as to decide it to be false, unless the opinion condemned has full opportunity of defending itself. And it will not do to say that the heretic may be allowed to maintain the utility or harmlessness of his opinion, though forbidden to maintain its truth. The truth of an opinion is part of its utility. If we would know whether or not it is desirable that a proposition should be believed, is it possible to exclude the consideration of whether or not it is true? In the opinion, not of bad men, but of the best men, no belief which is contrary to truth can be really useful: and can you prevent such men from urging that plea, when they are charged with culpability for denying some doctrine which they are told is useful, but which they believe to be false? Those who are on the side of received opinions, never fail to take all possible advantage of this plea; you do not find them handling the question of utility as if it could be completely abstracted from that of truth: on the contrary, it is, above all, because their doctrine is "the truth," that the knowledge or the belief of it is held to be so indispensable. There can be no fair discussion of the question of usefulness, when an argument so vital may be employed on one side, but not on the other. And in point of fact, when law or public feeling do not permit the truth of an opinion to be disputed, they are just as little tolerant of a denial of its usefulness. The utmost they allow is an extenuation of its absolute necessity or of the positive guilt of rejecting it.

In order more fully to illustrate the mischief of denying a hearing to opinions because we, in our own judgment, have condemned them, it will be desirable to fix down the discussion to a concrete case; and I choose, by preference, the cases which are least favorable to me—in which the argument against freedom of opinion, both on the score of truth and on that of utility, is considered the strongest. Let the opinions impugned be the belief in a God and in a future state, or any of the commonly received doctrines of morality. To fight the battle on such ground, gives a great advantage to an unfair antagonist; since he will be sure to say (and many who have no desire to be unfair will say it internally), Are these the doctrines which you do not deem sufficiently certain to be taken under the protection of law? Is the belief in a God one of the opinions, to feel sure of which, you hold to be assuming infallibility? But I must be permitted to observe, that it is not the feeling sure of a doctrine (be it what it may) which I call an assumption of infallibility. It is the undertaking to decide that question for others, without allowing them to hear what can be said on the contrary side. And I denounce and reprobate[1] this pretension not the less, if put forth on the side of my most solemn convictions. However positive any one's persuasion may be, not only of the falsity, but of the pernicious consequences—not only of the pernicious consequences, but (to adopt expressions which I altogether condemn) the immorality and impiety of an opinion; yet if, in pursuance of that private judgment, though backed by the public judgment of his country or his contemporaries, he prevents the opinion from being heard in its defense, he assumes infallibility. And so far from the assumption being less objectionable or less dangerous because the opinion is called immoral or impious, this is the case of all others in which it is most fatal. These are exactly the occasions on which the men of one generation commit those dreadful mistakes which excite the astonishment and horror of posterity. It is among such that we find the instances memorable in history, when the arm of the law has been employed to root out the best men and the noblest doctrines; with deplorable success as to the men, though some of the doctrines have survived to be (as if in mockery) invoked, in defense of similar conduct towards those who dissent from them, or from their received interpretation.

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[1] *collating* Comparing.

[2] *gainsayers* Those who contradict (him).

Mankind can hardly be too often reminded, that there was once a man named Socrates, between whom and the legal authorities and public opinion of his time, there took place a memorable collision. Born in an age and country abounding in individual greatness, this man has been handed down to us by those who best knew both him and the age, as the most virtuous man in it; while we know him as the head and prototype of all subsequent teachers of virtue, the source equally of the lofty inspiration of Plato and the judicious utilitarianism of Aristotle, "i maestri di color che sanno,"[2] the two headsprings of ethical as of all other philosophy. This acknowledged master of all the eminent thinkers who have since lived—whose fame, still growing after more than two thousand years, all but outweighs the whole remainder of the names which make his native city illustrious—was put to death by his countrymen, after a judicial conviction, for impiety and immorality. Impiety, in denying the gods recognized by the State; indeed his accuser asserted (see the "Apologia"[3]) that he believed in no gods at all. Immorality, in being, by his doctrines and instructions, a "corrupter of youth." Of these charges the tribunal, there is every ground for believing, honestly found him guilty, and condemned the man who probably of all then born had deserved best of mankind, to be put to death as a criminal.

[...]

Let us now pass to the second division of the argument, and dismissing the Supposition that any of the received opinions may be false, let us assume them to be true, and examine into the worth of the manner in which they are likely to be held, when their truth is not freely and openly canvassed. However unwillingly a person who has a strong opinion may admit the possibility that his opinion may be false, he ought to be moved by the consideration that however true it may be, if it is not fully, frequently, and fearlessly discussed, it will be held as a dead dogma, not a living truth.

There is a class of persons (happily not quite so numerous as formerly) who think it enough if a person assents undoubtingly to what they think true, though he has no knowledge whatever of the grounds of the opinion, and could not make a tenable defense of it against the most superficial objections. Such persons, if they can once get their creed taught from authority, naturally think that no good, and some harm, comes of its being allowed to be questioned. Where their influence prevails, they make it nearly impossible for the received opinion to be rejected wisely and considerately, though it may still be rejected rashly and ignorantly; for to shut out discussion entirely is seldom possible, and when it once gets in, beliefs not grounded on conviction are apt to give way before the slightest semblance of an argument. Waiving, however, this possibility—assuming that the true opinion abides in the mind, but abides as a prejudice, a belief independent of, and proof against, argument—this is not the way in which truth ought to be held by a rational being. This is not knowing the truth. Truth, thus held, is but one superstition the more, accidentally clinging to the words which enunciate a truth.

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[1] *reprobate* Condemn.

[2] *i maestri di color che sanno* Italian: "The teachers of those who know." Quotation from Dante's *Inferno* IV, slightly adapted: Dante's "il maestro di color che sanno" refers to one teacher only (Aristotle).

[3] *"Apologia"* Plato's dialogue the *Apology* puts forward Socrates' defense against these charges. (The word "apology" is used here in an archaic sense, meaning a formal defense of one's views or actions, not an expression of regret for one's mistakes.)

If the intellect and judgment of mankind ought to be cultivated, a thing which Protestants at least do not deny, on what can these faculties be more appropriately exercised by any one, than on the things which concern him so much that it is considered necessary for him to hold opinions on them? If the cultivation of the understanding consists in one thing more than in another, it is surely in learning the grounds of one's own opinions. Whatever people believe, on subjects on which it is of the first importance to believe rightly, they ought to be able to defend against at least the common objections. But, some one may say, "Let them be taught the grounds of their opinions. It does not follow that opinions must be merely parroted because they are never heard controverted.[1] Persons who learn geometry do not simply commit the theorems to memory, but understand and learn likewise the demonstrations;[2] and it would be absurd to say that they remain ignorant of the grounds of geometrical truths, because they never hear any one deny, and attempt to disprove them." Undoubtedly: and such teaching suffices on a subject like mathematics, where there is nothing at all to be said on the wrong side of the question. The peculiarity of the evidence of mathematical truths is, that all the argument is on one side. There are no objections, and no answers to objections. But on every subject on which difference of opinion is possible, the truth depends on a balance to be struck between two sets of conflicting reasons. Even in natural philosophy,[3] there is always some other explanation possible of the same facts; some geocentric theory instead of heliocentric,[4] some phlogiston instead of oxygen;[5] and it has to be shown why that other theory cannot be the true one: and until this is shown and until we know how it is shown, we do not understand the grounds of our opinion. But when we turn to subjects infinitely more complicated, to morals, religion, politics, social relations, and the business of life, three-fourths of the arguments for every disputed opinion consist in dispelling the appearances which favor some opinion different from it. The greatest orator, save one, of antiquity, has left it on record that he always studied his adversary's case with as great, if not with still greater, intensity than even his own. What Cicero practiced as the means of forensic[6] success, requires to be imitated by all who study any subject in order to arrive at the truth. He who knows only his own side of the case, knows little of that. His reasons may be good, and no one may have been able to refute them. But if he is equally unable to refute the reasons on the opposite side; if he does not so much as know what they are, he has no ground for preferring either opinion. The rational position for him would be suspension of judgment, and unless he contents himself with that, he is either led by authority, or adopts, like the generality of the world, the side to which he feels most inclination. Nor is it enough that he should hear the arguments of adversaries from his own teachers, presented as they state them, and accompanied by what they offer as refutations. This is not the way to do justice to the arguments, or bring them into real contact with his own mind. He must be able to hear them from persons who actually believe them; who defend them in earnest, and do their very utmost for them. He must know them in their most plausible and persuasive form; he must feel the whole force of the difficulty which the true view of the subject has to encounter and dispose of, else he will never really possess himself of the portion of truth which meets and removes that difficulty. Ninety-nine in a hundred of what are called educated men are in this condition, even of those who can argue fluently for their opinions. Their conclusion may be true, but it might be false for anything they know: they have never thrown themselves into the mental position of those who think differently from them, and considered what such persons may have to say; and consequently they do not, in any proper sense of the word, know the doctrine which they themselves profess. They do not know those parts of it which explain and justify the remainder; the considerations which show that a fact which seemingly conflicts with another is reconcilable with it, or that, of two apparently strong reasons, one and not the other ought to be preferred. All that part of the truth which turns the scale, and decides the judgment of a completely informed mind, they are strangers to; nor is it ever really known, but to those who have attended equally and impartially to both sides, and endeavored to see the reasons of both in the strongest light. So essential is this discipline to a real understanding of moral and human subjects, that if opponents of all important truths do not exist, it is indispensable to imagine them and supply them with the strongest arguments which the most skilful devil's advocate[1] can conjure up.

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[1] *controverted* Disputed by reasoning.

[2] *theorems … demonstrations* The theorems of geometry are its accepted truths that can be proven by demonstrations.

[3] *natural philosophy* Natural science.

[4] *geocentric … heliocentric* The first is the theory in astronomy which places the earth at the center of the system including sun, moon, planets, and stars; the second has planets revolving around the sun as the center.

[5] *phlogiston … oxygen* The first is a hypothetical substance—the essence of fire—supposed to be given off when something burns. Modern theory sees burning instead not as giving off anything, but rather as combining fuel with oxygen.

[6] *forensic* Debating.

To abate the force of these considerations, an enemy of free discussion may be supposed to say, that there is no necessity for mankind in general to know and understand all that can be said against or for their opinions by philosophers and theologians. That it is not needful for common men to be able to expose all the misstatements or fallacies of an ingenious opponent. That it is enough if there is always somebody capable of answering them, so that nothing likely to mislead uninstructed persons remains unrefuted. That simple minds, having been taught the obvious grounds of the truths inculcated on them, may trust to authority for the rest, and being aware that they have neither knowledge nor talent to resolve every difficulty which can be raised, may repose in the assurance that all those which have been raised have been or can be answered, by those who are specially trained to the task.

Conceding to this view of the subject the utmost that can be claimed for it by those most easily satisfied with the amount of understanding of truth which ought to accompany the belief of it; even so, the argument for free discussion is no way weakened. For even this doctrine acknowledges that mankind ought to have a rational assurance that all objections have been satisfactorily answered; and how are they to be answered if that which requires to be answered is not spoken? or how can the answer be known to be satisfactory, if the objectors have no opportunity of showing that it is unsatisfactory? If not the public, at least the philosophers and theologians who are to resolve the difficulties, must make themselves familiar with those difficulties in their most puzzling form; and this cannot be accomplished unless they are freely stated, and placed in the most advantageous light which they admit of. The Catholic Church has its own way of dealing with this embarrassing problem. It makes a broad separation between those who can be permitted to receive its doctrines on conviction, and those who must accept them on trust. Neither, indeed, are allowed any choice as to what they will accept; but the clergy, such at least as can be fully confided in, may admissibly and meritoriously make themselves acquainted with the arguments of opponents, in order to answer them, and may, therefore, read heretical books; the laity, not unless by special permission, hard to be obtained. This discipline recognizes a knowledge of the enemy's case as beneficial to the teachers, but finds means, consistent with this, of denying it to the rest of the world: thus giving to the elite more mental culture, though not more mental freedom, than it allows to the mass. By this device it succeeds in obtaining the kind of mental superiority which its purposes require; for though culture without freedom never made a large and liberal mind, it can make a clever *nisi prius*[2] advocate of a cause. But in countries professing Protestantism, this resource is denied; since Protestants hold, at least in theory, that the responsibility for the choice of a religion must be borne by each for himself, and cannot be thrown off upon teachers. Besides, in the present state of the world, it is practically impossible that writings which are read by the instructed can be kept from the uninstructed. If the teachers of mankind are to be cognizant of all that they ought to know, everything must be free to be written and published without restraint.

If, however, the mischievous operation of the absence of free discussion, when the received opinions are true, were confined to leaving men ignorant of the grounds of those opinions, it might be thought that this, if an intellectual, is no moral evil, and does not affect the worth of the opinions, regarded in their influence on the character. The fact, however, is, that not only the grounds of the opinion are forgotten in the absence of discussion, but too often the meaning of the opinion itself. The words which convey it, cease to suggest ideas, or suggest only a small portion of those they were originally employed to communicate. Instead of a vivid conception and a living belief, there remain only a few phrases retained by rote; or, if any part, the shell and husk only of the meaning is retained, the finer essence being lost. The great chapter in human history which this fact occupies and fills, cannot be too earnestly studied and meditated on.

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[1] *devil's advocate* One who takes a position for the sake of argument, not necessarily believed. (Originally this term was applied to the person involved in hearings considering conferring sainthood in the Church whose job it was to present a case, as strong as possible, against the candidate, with the object of making sure that a positive decision was without defect.)

[2] *nisi prius* [Latin: unless before] Refers literally to certain local court proceedings in England: trials were to take place centrally, at Westminster, *unless beforehand* they were tried locally. Figuratively Mill here is calling the Catholic intellectual elite the "*nisi prius*" experts—the court where issues get settled first.

It is illustrated in the experience of almost all ethical doctrines and religious creeds. They are all full of meaning and vitality to those who originate them, and to the direct disciples of the originators. Their meaning continues to be felt in undiminished strength, and is perhaps brought out into even fuller consciousness, so long as the struggle lasts to give the doctrine or creed an ascendancy over other creeds. At last it either prevails, and becomes the general opinion, or its progress stops; it keeps possession of the ground it has gained, but ceases to spread further. When either of these results has become apparent, controversy on the subject flags, and gradually dies away. The doctrine has taken its place, if not as a received opinion, as one of the admitted sects or divisions of opinion: those who hold it have generally inherited, not adopted it; and conversion from one of these doctrines to another, being now an exceptional fact, occupies little place in the thoughts of their professors.[1] Instead of being, as at first, constantly on the alert either to defend themselves against the world, or to bring the world over to them, they have subsided into acquiescence, and neither listen, when they can help it, to arguments against their creed, nor trouble dissentients[2] (if there be such) with arguments in its favor. From this time may usually be dated the decline in the living power of the doctrine. We often hear the teachers of all creeds lamenting the difficulty of keeping up in the minds of believers a lively apprehension of the truth which they nominally recognize, so that it may penetrate the feelings, and acquire a real mastery over the conduct. No such difficulty is complained of while the creed is still fighting for its existence: even the weaker combatants then know and feel what they are fighting for, and the difference between it and other doctrines; and in that period of every creed's existence, not a few persons may be found, who have realized its fundamental principles in all the forms of thought, have weighed and considered them in all their important bearings, and have experienced the full effect on the character, which belief in that creed ought to produce in a mind thoroughly imbued with it. But when it has come to be an hereditary creed, and to be received passively, not actively—when the mind is no longer compelled, in the same degree as at first, to exercise its vital powers on the questions which its belief presents to it, there is a progressive tendency to forget all of the belief except the formularies,[3] or to give it a dull and torpid assent, as if accepting it on trust dispensed with the necessity of realizing it in consciousness, or testing it by personal experience; until it almost ceases to connect itself at all with the inner life of the human being. Then are seen the cases, so frequent in this age of the world as almost to form the majority, in which the creed remains as it were outside the mind, encrusting and petrifying it against all other influences addressed to the higher parts of our nature; manifesting its power by not suffering any fresh and living conviction to get in, but itself doing nothing for the mind or heart, except standing sentinel over them to keep them vacant.

[...]

But what! (it may be asked) Is the absence of unanimity an indispensable condition of true knowledge? Is it necessary that some part of mankind should persist in error, to enable any to realize the truth? Does a belief cease to be real and vital as soon as it is generally received—and is a proposition never thoroughly understood and felt unless some doubt of it remains? As soon as mankind have unanimously accepted a truth, does the truth perish within them? The highest aim and best result of improved intelligence, it has hitherto been thought, is to unite mankind more and more in the acknowledgment of all important truths: and does the intelligence only last as long as it has not achieved its object? Do the fruits of conquest perish by the very completeness of the victory?

I affirm no such thing. As mankind improve, the number of doctrines which are no longer disputed or doubted will be constantly on the increase: and the well-being of mankind may almost be measured by the number and gravity of the truths which have reached the point of being uncontested. The cessation, on one question after another, of serious controversy, is one of the necessary incidents of the consolidation of opinion; a consolidation as salutary in the case of true opinions, as it is dangerous and noxious when the opinions are erroneous. But though this gradual narrowing of the bounds of diversity of opinion is necessary in both senses of the term, being at once inevitable and indispensable, we are not therefore obliged to conclude that all its consequences must be beneficial. The loss of so important an aid to the intelligent and living apprehension of a truth, as is afforded by the necessity of explaining it to, or defending it against, opponents, though not sufficient to outweigh, is no trifling drawback from, the benefit of its universal recognition. Where this advantage can no longer be had, I confess I should like to see the teachers of mankind endeavoring to provide a substitute for it; some contrivance for making the difficulties of the question as present to the learner's consciousness, as if they were pressed upon him by a dissentient champion, eager for his conversion.

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[1] *professors* Those who profess the doctrine—i.e., claim belief in it.

[2] *dissentients* Those who express disagreement.

[3] *formularies* Fixed formulas.

But instead of seeking contrivances for this purpose, they have lost those they formerly had. The Socratic dialectics,[1] so magnificently exemplified in the dialogues of Plato, were a contrivance of this description. They were essentially a negative discussion of the great questions of philosophy and life, directed with consummate skill to the purpose of convincing any one who had merely adopted the commonplaces of received opinion, that he did not understand the subject—that he as yet attached no definite meaning to the doctrines he professed; in order that, becoming aware of his ignorance, he might be put in the way to attain a stable belief, resting on a clear apprehension both of the meaning of doctrines and of their evidence. The school disputations of the Middle Ages had a somewhat similar object. They were intended to make sure that the pupil understood his own opinion, and (by necessary correlation) the opinion opposed to it, and could enforce the grounds of the one and confute[2] those of the other. These last-mentioned contests had indeed the incurable defect, that the premises appealed to were taken from authority, not from reason; and, as a discipline to the mind, they were in every respect inferior to the powerful dialectics which formed the intellects of the "*Socratici viri*":[3] but the modern mind owes far more to both than it is generally willing to admit, and the present modes of education contain nothing which in the smallest degree supplies the place either of the one or of the other. A person who derives all his instruction from teachers or books, even if he escape the besetting temptation of contenting himself with cram,[4] is under no compulsion to hear both sides; accordingly it is far from a frequent accomplishment, even among thinkers, to know both sides; and the weakest part of what everybody says in defense of his opinion, is what he intends as a reply to antagonists. It is the fashion of the present time to disparage negative logic—that which points out weaknesses in theory or errors in practice, without establishing positive truths. Such negative criticism would indeed be poor enough as an ultimate result; but as a means to attaining any positive knowledge or conviction worthy the name, it cannot be valued too highly; and until people are again systematically trained to it, there will be few great thinkers, and a low general average of intellect, in any but the mathematical and physical departments of speculation. On any other subject no one's opinions deserve the name of knowledge, except so far as he has either had forced upon him by others, or gone through of himself, the same mental process which would have been required of him in carrying on an active controversy with opponents. That, therefore, which when absent, it is so indispensable, but so difficult, to create, how worse than absurd is it to forego, when spontaneously offering itself! If there are any persons who contest a received opinion, or who will do so if law or opinion will let them, let us thank them for it, open our minds to listen to them, and rejoice that there is some one to do for us what we otherwise ought, if we have any regard for either the certainty or the vitality of our convictions, to do with much greater labor for ourselves.

It still remains to speak of one of the principal causes which make diversity of opinion advantageous, and will continue to do so until mankind shall have entered a stage of intellectual advancement which at present seems at an incalculable distance. We have hitherto considered only two possibilities: that the received opinion may be false, and some other opinion, consequently, true; or that, the received opinion being true, a conflict with the opposite error is essential to a clear apprehension and deep feeling of its truth. But there is a commoner case than either of these; when the conflicting doctrines, instead of being one true and the other false, share the truth between them; and the nonconforming opinion is needed to supply the remainder of the truth, of which the received doctrine embodies only a part. Popular opinions, on subjects not palpable to sense, are often true, but seldom or never the whole truth. They are a part of the truth; sometimes a greater, sometimes a smaller part, but exaggerated, distorted, and disjoined from the truths by which they ought to be accompanied and limited. Heretical opinions, on the other hand, are generally some of these suppressed and neglected truths, bursting the bonds which kept them down, and either seeking reconciliation with the truth contained in the common opinion, or fronting[1] it as enemies, and setting themselves up, with similar exclusiveness, as the whole truth. The latter case is hitherto the most frequent, as, in the human mind, one-sidedness has always been the rule, and many-sidedness the exception. Hence, even in revolutions of opinion, one part of the truth usually sets while another rises. Even progress, which ought to superadd,[2] for the most part only substitutes one partial and incomplete truth for another; improvement consisting chiefly in this, that the new fragment of truth is more wanted, more adapted to the needs of the time, than that which it displaces. Such being the partial character of prevailing opinions, even when resting on a true foundation; every opinion which embodies somewhat of the portion of truth which the common opinion omits, ought to be considered precious, with whatever amount of error and confusion that truth may be blended. No sober judge of human affairs will feel bound to be indignant because those who force on our notice truths which we should otherwise have overlooked, overlook some of those which we see. Rather, he will think that so long as popular truth is one-sided, it is more desirable than otherwise that unpopular truth should have one-sided asserters too; such being usually the most energetic, and the most likely to compel reluctant attention to the fragment of wisdom which they proclaim as if it were the whole.

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[1] *dialectics* Debates.

[2] *confute* Prove wrong.

[3] *Socratici viri* Latin: "Socrates' men." Followers of Socrates.

[4] *cram* The temporary storage of large amounts of information for a particular purpose—for example, an examination.

Thus, in the eighteenth century, when nearly all the instructed, and all those of the uninstructed who were led by them, were lost in admiration of what is called civilization, and of the marvels of modern science, literature, and philosophy, and while greatly overrating the amount of unlikeness between the men of modern and those of ancient times, indulged the belief that the whole of the difference was in their own favor; with what a salutary shock did the paradoxes of Rousseau[3] explode like bombshells in the midst, dislocating the compact mass of one-sided opinion, and forcing its elements to recombine in a better form and with additional ingredients. Not that the current opinions were on the whole farther from the truth than Rousseau's were; on the contrary, they were nearer to it; they contained more of positive truth, and very much less of error. Nevertheless there lay in Rousseau's doctrine, and has floated down the stream of opinion along with it, a considerable amount of exactly those truths which the popular opinion wanted; and these are the deposit which was left behind when the flood subsided. The superior worth of simplicity of life, the enervating and demoralizing effect of the trammels[4] and hypocrisies of artificial society, are ideas which have never been entirely absent from cultivated minds since Rousseau wrote; and they will in time produce their due effect, though at present needing to be asserted as much as ever, and to be asserted by deeds, for words, on this subject, have nearly exhausted their power.

In politics, again, it is almost a commonplace, that a party of order or stability, and a party of progress or reform, are both necessary elements of a healthy state of political life; until the one or the other shall have so enlarged its mental grasp as to be a party equally of order and of progress, knowing and distinguishing what is fit to be preserved from what ought to be swept away. Each of these modes of thinking derives its utility from the deficiencies of the other; but it is in a great measure the opposition of the other that keeps each within the limits of reason and sanity. Unless opinions favorable to democracy and to aristocracy, to property and to equality, to co-operation and to competition, to luxury and to abstinence, to sociality and individuality, to liberty and discipline, and all the other standing antagonisms of practical life, are expressed with equal freedom, and enforced and defended with equal talent and energy, there is no chance of both elements obtaining their due; one scale is sure to go up, and the other down. Truth, in the great practical concerns of life, is so much a question of the reconciling and combining of opposites, that very few have minds sufficiently capacious[5] and impartial to make the adjustment with an approach to correctness, and it has to be made by the rough process of a struggle between combatants fighting under hostile banners. On any of the great open questions just enumerated, if either of the two opinions has a better claim than the other, not merely to be tolerated, but to be encouraged and countenanced, it is the one which happens at the particular time and place to be in a minority. That is the opinion which, for the time being, represents the neglected interests, the side of human well-being which is in danger of obtaining less than its share. I am aware that there is not, in this country, any intolerance of differences of opinion on most of these topics. They are adduced to show, by admitted and multiplied examples, the universality of the fact, that only through diversity of opinion is there, in the existing state of human intellect, a chance of fair play to all sides of the truth. When there are persons to be found, who form an exception to the apparent unanimity of the world on any subject, even if the world is in the right, it is always probable that dissentients have something worth hearing to say for themselves, and that truth would lose something by their silence.

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[1] *fronting* Facing.

[2] *superadd* Put in a further addition.

[3] *the paradoxes of Rousseau* Jean-Jacques Rousseau (1712–78), Swiss-French philosopher of the Enlightenment, was fond of expressing himself in the form of unresolved "paradoxes," the best known of which is "Man is born free, and is everywhere in chains."

[4] *trammels* Confinements, hindrances.

[5] *capacious* Able to hold a great deal.

[…]

We have now recognized the necessity to the mental well-being of mankind (on which all their other well-being depends) of freedom of opinion, and freedom of the expression of opinion, on four distinct grounds; which we will now briefly recapitulate.

First, if any opinion is compelled to silence, that opinion may, for aught[1] we can certainly know, be true. To deny this is to assume our own infallibility.

Secondly, though the silenced opinion be an error, it may, and very commonly does, contain a portion of truth; and since the general or prevailing opinion on any object is rarely or never the whole truth, it is only by the collision of adverse opinions that the remainder of the truth has any chance of being supplied.

Thirdly, even if the received opinion be not only true, but the whole truth; unless it is suffered to be, and actually is, vigorously and earnestly contested, it will, by most of those who receive it, be held in the manner of a prejudice, with little comprehension or feeling of its rational grounds. And not only this, but, fourthly, the meaning of the doctrine itself will be in danger of being lost, or enfeebled, and deprived of its vital effect on the character and conduct: the dogma becoming a mere formal profession, inefficacious for good, but cumbering[2] the ground, and preventing the growth of any real and heartfelt conviction, from reason or personal experience.

Before quitting the subject of freedom of opinion, it is fit to take notice of those who say, that the free expression of all opinions should be permitted, on condition that the manner be temperate, and do not pass the bounds of fair discussion. Much might be said on the impossibility of fixing where these supposed bounds are to be placed; for if the test be offence to those whose opinion is attacked, I think experience testifies that this offence is given whenever the attack is telling and powerful, and that every opponent who pushes them hard, and whom they find it difficult to answer, appears to them, if he shows any strong feeling on the subject, an intemperate opponent. But this, though an important consideration in a practical point of view, merges in a more fundamental objection. Undoubtedly the manner of asserting an opinion, even though it be a true one, may be very objectionable, and may justly incur severe censure. But the principal offences of the kind are such as it is mostly impossible, unless by accidental self-betrayal, to bring home to conviction. The gravest of them is, to argue sophistically,[3] to suppress facts or arguments, to misstate the elements of the case, or misrepresent the opposite opinion. But all this, even to the most aggravated degree, is so continually done in perfect good faith, by persons who are not considered, and in many other respects may not deserve to be considered, ignorant or incompetent, that it is rarely possible on adequate grounds conscientiously to stamp the misrepresentation as morally culpable; and still less could law presume to interfere with this kind of controversial misconduct. With regard to what is commonly meant by intemperate discussion, namely, invective, sarcasm, personality, and the like, the denunciation of these weapons would deserve more sympathy if it were ever proposed to interdict them equally to both sides; but it is only desired to restrain the employment of them against the prevailing opinion: against the unprevailing they may not only be used without general disapproval, but will be likely to obtain for him who uses them the praise of honest zeal and righteous indignation. Yet whatever mischief arises from their use, is greatest when they are employed against the comparatively defenseless; and whatever unfair advantage can be derived by any opinion from this mode of asserting it, accrues[1] almost exclusively to received opinions. The worst offence of this kind which can be committed by a polemic, is to stigmatize those who hold the contrary opinion as bad and immoral men. To calumny[2] of this sort, those who hold any unpopular opinion are peculiarly exposed, because they are in general few and uninfluential, and nobody but themselves feels much interest in seeing justice done them; but this weapon is, from the nature of the case, denied to those who attack a prevailing opinion: they can neither use it with safety to themselves, nor if they could, would it do anything but recoil on their own cause. In general, opinions contrary to those commonly received can only obtain a hearing by studied moderation of language, and the most cautious avoidance of unnecessary offence, from which they hardly ever deviate even in a slight degree without losing ground: while unmeasured vituperation[3] employed on the side of the prevailing opinion, really does deter people from professing contrary opinions, and from listening to those who profess them. For the interest, therefore, of truth and justice, it is far more important to restrain this employment of vituperative language than the other; and, for example, if it were necessary to choose, there would be much more need to discourage offensive attacks on infidelity, than on religion. It is, however, obvious that law and authority have no business with restraining either, while opinion ought, in every instance, to determine its verdict by the circumstances of the individual case; condemning every one, on whichever side of the argument he places himself, in whose mode of advocacy either want of candor, or malignity, bigotry or intolerance of feeling manifest themselves, but not inferring these vices from the side which a person takes, though it be the contrary side of the question to our own; and giving merited honor to every one, whatever opinion he may hold, who has calmness to see and honesty to state what his opponents and their opinions really are, exaggerating nothing to their discredit, keeping nothing back which tells, or can be supposed to tell, in their favor. This is the real morality of public discussion; and if often violated, I am happy to think that there are many controversialists[4] who to a great extent observe it, and a still greater number who conscientiously strive towards it.

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[1] *aught* Anything.

[2] *cumbering* Obstructively occupying.

[3] *sophistically* With clever-sounding but flawed reasoning.

from *Chapter 3: On Individuality, as One of the Elements of Well-Being*

Such being the reasons which make it imperative that human beings should be free to form opinions, and to express their opinions without reserve; and such the baneful consequences to the intellectual, and through that to the moral nature of man, unless this liberty is either conceded, or asserted in spite of prohibition; let us next examine whether the same reasons do not require that men should be free to act upon their opinions—to carry these out in their lives, without hindrance, either physical or moral, from their fellow-men, so long as it is at their own risk and peril. This last proviso[5] is of course indispensable. No one pretends that actions should be as free as opinions. On the contrary, even opinions lose their immunity, when the circumstances in which they are expressed are such as to constitute their expression a positive instigation to some mischievous act. An opinion that corn-dealers[6] are starvers of the poor, or that private property is robbery, ought to be unmolested when simply circulated through the press, but may justly incur punishment when delivered orally to an excited mob assembled before the house of a corn-dealer, or when handed about among the same mob in the form of a placard.[7] Acts of whatever kind, which, without justifiable cause, do harm to others, may be, and in the more important cases absolutely require to be, controlled by the unfavorable sentiments, and, when needful, by the active interference of mankind. The liberty of the individual must be thus far limited; he must not make himself a nuisance[8] to other people. But if he refrains from molesting others in what concerns them, and merely acts according to his own inclination and judgment in things which concern himself, the same reasons which show that opinion should be free, prove also that he should be allowed, without molestation, to carry his opinions into practice at his own cost. That mankind are not infallible; that their truths, for the most part, are only half-truths; that unity of opinion, unless resulting from the fullest and freest comparison of opposite opinions, is not desirable, and diversity not an evil, but a good, until mankind are much more capable than at present of recognizing all sides of the truth, are principles applicable to men's modes of action, not less than to their opinions. As it is useful that while mankind are imperfect there should be different opinions, so is it that there should be different experiments of living; that free scope should be given to varieties of character, short of injury to others; and that the worth of different modes of life should be proved practically, when any one thinks fit to try them. It is desirable, in short, that in things which do not primarily concern others, individuality should assert itself. Where, not the person's own character, but the traditions of customs of other people are the rule of conduct, there is wanting one of the principal ingredients of human happiness, and quite the chief ingredient of individual and social progress.

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[1] *accrues* Comes.

[2] *calumny* Malicious falsehoods.

[3] *vituperation* Outbursts of abuse.

[4] *controversialists* Disputants.

[5] *proviso* Condition.

[6] *corn-dealers* Buyers and sellers of grain.

[7] *placard* Single-sheet document.

[8] *nuisance* One who causes harm.

In maintaining this principle, the greatest difficulty to be encountered does not lie in the appreciation of means towards an acknowledged end, but in the indifference of persons in general to the end itself. If it were felt that the free development of individuality is one of the leading essentials of well-being; that it is not only a coordinate[1] element with all that is designated by the terms civilization, instruction, education, culture, but is itself a necessary part and condition of all those things; there would be no danger that liberty should be undervalued, and the adjustment of the boundaries between it and social control would present no extraordinary difficulty. But the evil is, that individual spontaneity is hardly recognized by the common modes of thinking as having any intrinsic worth, or deserving any regard on its own account. The majority, being satisfied with the ways of mankind as they now are (for it is they who make them what they are), cannot comprehend why those ways should not be good enough for everybody; and what is more, spontaneity forms no part of the ideal of the majority of moral and social reformers, but is rather looked on with jealousy, as a troublesome and perhaps rebellious obstruction to the general acceptance of what these reformers, in their own judgment, think would be best for mankind. Few persons, out of Germany, even comprehend the meaning of the doctrine which Wilhelm von Humboldt,[2] so eminent both as a savant and as a politician, made the text of a treatise—that "the end of man, or that which is prescribed by the eternal or immutable dictates of reason, and not suggested by vague and transient desires, is the highest and most harmonious development of his powers to a complete and consistent whole"; that, therefore, the object "towards which every human being must ceaselessly direct his efforts, and on which especially those who design to influence their fellow-men must ever keep their eyes, is the individuality of power and development"; that for this there are two requisites, "freedom, and a variety of situations"; and that from the union of these arise "individual vigor and manifold diversity," which combine themselves in "originality."[3]

Little, however, as people are accustomed to a doctrine like that of von Humboldt, and surprising as it may be to them to find so high a value attached to individuality, the question, one must nevertheless think, can only be one of degree. No one's idea of excellence in conduct is that people should do absolutely nothing but copy one another. No one would assert that people ought not to put into their mode of life, and into the conduct of their concerns, any impress[4] whatever of their own judgment, or of their own individual character. On the other hand, it would be absurd to pretend that people ought to live as if nothing whatever had been known in the world before they came into it; as if experience had as yet done nothing towards showing that one mode of existence, or of conduct, is preferable to another. Nobody denies that people should be so taught and trained in youth, as to know and benefit by the ascertained results of human experience. But it is the privilege and proper condition of a human being, arrived at the maturity of his faculties, to use and interpret experience in his own way. It is for him to find out what part of recorded experience is properly applicable to his own circumstances and character. The traditions and customs of other people are, to a certain extent, evidence of what their experience has taught them; presumptive[5] evidence, and as such, have a claim to this deference: but, in the first place, their experience may be too narrow; or they may not have interpreted it rightly. Secondly, their interpretation of experience may be correct but unsuitable to him. Customs are made for customary circumstances, and customary characters: and his circumstances or his character may be uncustomary. Thirdly, though the customs be both good as customs, and suitable to him, yet to conform to custom, merely as custom, does not educate or develop in him any of the qualities which are the distinctive endowment of a human being. The human faculties of perception, judgment, discriminative feeling, mental activity, and even moral preference, are exercised only in making a choice. He who does anything because it is the custom, makes no choice. He gains no practice either in discerning or in desiring what is best. The mental and moral, like the muscular powers, are improved only by being used. The faculties are called into no exercise by doing a thing merely because others do it, no more than by believing a thing only because others believe it. If the grounds of an opinion are not conclusive to the person's own reason, his reason cannot be strengthened, but is likely to be weakened by his adopting it: and if the inducements to an act are not such as are consentaneous[1] to his own feelings and character (where affection, or the rights of others are not concerned), it is so much done towards rendering his feelings and character inert and torpid, instead of active and energetic.

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[1] *coordinate* Equal.

[2] *Wilhelm von Humboldt* German diplomat and Enlightenment philosopher (1767–1835); his writings anticipated Mill's defense of liberty.

[3] *that "the end of man" … "originality"* [Mill's footnote] *The Sphere and Duties of Government,* from the German of Baron Wilhelm von Humboldt.

[4] *impress* Characteristic mark.

[5] *presumptive* Reasonably regarded as.

He who lets the world, or his own portion of it, choose his plan of life for him, has no need of any other faculty than the ape-like one of imitation. He who chooses his plan for himself, employs all his faculties. He must use observation to see, reasoning and judgment to foresee, activity to gather materials for decision, discrimination to decide, and when he has decided, firmness and self-control to hold to his deliberate decision. And these qualities he requires and exercises exactly in proportion as the part of his conduct which he determines according to his own judgment and feelings is a large one. It is possible that he might be guided in some good path, and kept out of harm's way, without any of these things. But what will be his comparative worth as a human being? It really is of importance, not only what men do, but also what manner of men they are that do it. Among the works of man, which human life is rightly employed in perfecting and beautifying, the first in importance surely is man himself. Supposing it were possible to get houses built, corn grown, battles fought, causes tried, and even churches erected and prayers said, by machinery—by automatons in human form—it would be a considerable loss to exchange for these automatons even the men and women who at present inhabit the more civilized parts of the world, and who assuredly are but starved specimens of what nature can and will produce. Human nature is not a machine to be built after a model, and set to do exactly the work prescribed for it, but a tree, which requires to grow and develop itself on all sides, according to the tendency of the inward forces which make it a living thing.

It will probably be conceded that it is desirable people should exercise their understandings, and that an intelligent following of custom, or even occasionally an intelligent deviation from custom, is better than a blind and simply mechanical adhesion to it. To a certain extent it is admitted, that our understanding should be our own: but there is not the same willingness to admit that our desires and impulses should be our own likewise; or that to possess impulses of our own, and of any strength, is anything but a peril and a snare. Yet desires and impulses are as much a part of a perfect human being, as beliefs and restraints: and strong impulses are only perilous when not properly balanced; when one set of aims and inclinations is developed into strength, while others, which ought to coexist with them, remain weak and inactive. It is not because men's desires are strong that they act ill; it is because their consciences are weak. There is no natural connection between strong impulses and a weak conscience. The natural connection is the other way. To say that one person's desires and feelings are stronger and more various than those of another, is merely to say that he has more of the raw material of human nature, and is therefore capable, perhaps of more evil, but certainly of more good. Strong impulses are but another name for energy. Energy may be turned to bad uses; but more good may always be made of an energetic nature, than of an indolent and impassive one. Those who have most natural feeling, are always those whose cultivated feelings may be made the strongest. The same strong susceptibilities which make the personal impulses vivid and powerful, are also the source from whence are generated the most passionate love of virtue, and the sternest self-control. It is through the cultivation of these, that society both does its duty and protects its interests: not by rejecting the stuff of which heroes are made, because it knows not how to make them. A person whose desires and impulses are his own—are the expression of his own nature, as it has been developed and modified by his own culture—is said to have a character. One whose desires and impulses are not his own, has no character, no more than a steam-engine has a character. If, in addition to being his own, his impulses are strong, and are under the government of a strong will, he has an energetic character. Whoever thinks that individuality of desires and impulses should not be encouraged to unfold itself, must maintain that society has no need of strong natures—is not the better for containing many persons who have much character—and that a high general average of energy is not desirable.

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[1] *consentaneous* In agreement with.

In some early states of society, these forces might be, and were, too much ahead of the power which society then possessed of disciplining and controlling them. There has been a time when the element of spontaneity and individuality was in excess, and the social principle had a hard struggle with it. The difficulty then was, to induce men of strong bodies or minds to pay obedience to any rules which required them to control their impulses. To overcome this difficulty, law and discipline, like the Popes struggling against the Emperors, asserted a power over the whole man, claiming to control all his life in order to control his character—which society had not found any other sufficient means of binding. But society has now fairly got the better of individuality; and the danger which threatens human nature is not the excess, but the deficiency, of personal impulses and preferences. Things are vastly changed, since the passions of those who were strong by station or by personal endowment were in a state of habitual rebellion against laws and ordinances, and required to be rigorously chained up to enable the persons within their reach to enjoy any particle of security. In our times, from the highest class of society down to the lowest every one lives as under the eye of a hostile and dreaded censorship. Not only in what concerns others, but in what concerns only themselves, the individual, or the family, do not ask themselves—what do I prefer? or, what would suit my character and disposition? or, what would allow the best and highest in me to have fair play, and enable it to grow and thrive? They ask themselves, what is suitable to my position? what is usually done by persons of my station and pecuniary circumstances? or (worse still) what is usually done by persons of a station and circumstances superior to mine? I do not mean that they choose what is customary, in preference to what suits their own inclination. It does not occur to them to have any inclination, except for what is customary. Thus the mind itself is bowed to the yoke: even in what people do for pleasure, conformity is the first thing thought of; they like in crowds; they exercise choice only among things commonly done: peculiarity of taste, eccentricity of conduct, are shunned equally with crimes: until by dint of not following their own nature, they have no nature to follow: their human capacities are withered and starved: they become incapable of any strong wishes or native pleasures, and are generally without either opinions or feelings of home growth, or properly their own. Now is this, or is it not, the desirable condition of human nature?

[...]

from *Chapter 4: Of the Limits of the Authority of Society over the Individual*

What, then, is the rightful limit to the sovereignty of the individual over himself? Where does the authority of society begin? How much of human life should be assigned to individuality, and how much to society?

Each will receive its proper share, if each has that which more particularly concerns it. To individuality should belong the part of life in which it is chiefly the individual that is interested; to society, the part which chiefly interests society.

Though society is not founded on a contract, and though no good purpose is answered by inventing a contract in order to deduce social obligations from it, every one who receives the protection of society owes a return for the benefit, and the fact of living in society renders it indispensable that each should be bound to observe a certain line of conduct towards the rest. This conduct consists, first, in not injuring the interests of one another; or rather certain interests, which, either by express legal provision or by tacit understanding, ought to be considered as rights; and secondly, in each person's bearing his share (to be fixed on some equitable principle) of the labors and sacrifices incurred for defending the society or its members from injury and molestation. These conditions society is justified in enforcing, at all costs to those who endeavor to withhold fulfillment. Nor is this all that society may do. The acts of an individual may be hurtful to others, or wanting in due consideration for their welfare, without going the length of violating any of their constituted rights. The offender may then be justly punished by opinion, though not by law. As soon as any part of a person's conduct affects prejudicially the interests of others, society has jurisdiction over it, and the question whether the general welfare will or will not be promoted by interfering with it, becomes open to discussion. But there is no room for entertaining any such question when a person's conduct affects the interests of no persons besides himself, or needs not affect them unless they like (all the persons concerned being of full age, and the ordinary amount of understanding). In all such cases there should be perfect freedom, legal and social, to do the action and stand the consequences.

It would be a great misunderstanding of this doctrine, to suppose that it is one of selfish indifference, which pretends that human beings have no business with each other's conduct in life, and that they should not concern themselves about the well-doing or well-being of one another, unless their own interest is involved. Instead of any diminution, there is need of a great increase of disinterested[1] exertion to promote the good of others. But disinterested benevolence can find other instruments to persuade people to their good, than whips and scourges, either of the literal or the metaphorical sort. I am the last person to undervalue the self-regarding virtues; they are only second in importance, if even second, to the social. It is equally the business of education to cultivate both. But even education works by conviction and persuasion as well as by compulsion, and it is by the former only that, when the period of education is past, the self-regarding virtues should be inculcated. Human beings owe to each other help to distinguish the better from the worse, and encouragement to choose the former and avoid the latter. They should be forever stimulating each other to increased exercise of their higher faculties, and increased direction of their feelings and aims towards wise instead of foolish, elevating instead of degrading, objects and contemplations. But neither one person, nor any number of persons, is warranted in saying to another human creature of ripe years, that he shall not do with his life for his own benefit what he chooses to do with it. He is the person most interested in his own well-being, the interest which any other person, except in cases of strong personal attachment, can have in it, is trifling, compared with that which he himself has; the interest which society has in him individually (except as to his conduct to others) is fractional, and altogether indirect: while, with respect to his own feelings and circumstances, the most ordinary man or woman has means of knowledge immeasurably surpassing those that can be possessed by any one else. The interference of society to overrule his judgment and purposes in what only regards himself, must be grounded on general presumptions; which may be altogether wrong, and even if right, are as likely as not to be misapplied to individual cases, by persons no better acquainted with the circumstances of such cases than those are who look at them merely from without. In this department, therefore, of human affairs, Individuality has its proper field of action. In the conduct of human beings towards one another, it is necessary that general rules should for the most part be observed, in order that people may know what they have to expect; but in each person's own concerns, his individual spontaneity is entitled to free exercise. Considerations to aid his judgment, exhortations to strengthen his will, may be offered to him, even obtruded[2] on him, by others; but he, himself, is the final judge. All errors which he is likely to commit against advice and warning, are far outweighed by the evil of allowing others to constrain him to what they deem his good.

I do not mean that the feelings with which a person is regarded by others, ought not to be in any way affected by his self-regarding qualities or deficiencies. This is neither possible nor desirable. If he is eminent in any of the qualities which conduce to his own good, he is, so far, a proper object of admiration. He is so much the nearer to the ideal perfection of human nature. If he is grossly deficient in those qualities, a sentiment the opposite of admiration will follow. There is a degree of folly, and a degree of what may be called (though the phrase is not unobjectionable) lowness or depravation of taste, which, though it cannot justify doing harm to the person who manifests it, renders him necessarily and properly a subject of distaste, or, in extreme cases, even of contempt: a person could not have the opposite qualities in due strength without entertaining these feelings. Though doing no wrong to any one, a person may so act as to compel us to judge him, and feel to him, as a fool, or as a being of an inferior order: and since this judgment and feeling are a fact which he would prefer to avoid, it is doing him a service to warn him of it beforehand, as of any other disagreeable consequence to which he exposes himself. It would be well, indeed, if this good office were much more freely rendered than the common notions of politeness at present permit, and if one person could honestly point out to another that he thinks him in fault, without being considered unmannerly or presuming. We have a right, also, in various ways, to act upon our unfavorable opinion of any one, not to the oppression of his individuality, but in the exercise of ours. We are not bound, for example, to seek his society; we have a right to avoid it (though not to parade the avoidance), for we have a right to choose the society most acceptable to us. We have a right, and it may be our duty, to caution others against him, if we think his example or conversation likely to have a pernicious effect on those with whom he associates. We may give others a preference over him in optional good offices, except those which tend to his improvement. In these various modes a person may suffer very severe penalties at the hands of others, for faults which directly concern only himself; but he suffers these penalties only in so far as they are the natural, and, as it were, the spontaneous consequences of the faults themselves, not because they are purposely inflicted on him for the sake of punishment. A person who shows rashness, obstinacy, self-conceit—who cannot live within moderate means—who cannot restrain himself from hurtful indulgences—who pursues animal pleasures at the expense of those of feeling and intellect—must expect to be lowered in the opinion of others, and to have a less share of their favorable sentiments, but of this he has no right to complain, unless he has merited their favor by special excellence in his social relations, and has thus established a title to their good offices, which is not affected by his demerits towards himself.

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[1] *disinterested* Free from bias or self-interest.

[2] *obtruded* Imposed.

What I contend for is, that the inconveniences which are strictly inseparable from the unfavorable judgment of others, are the only ones to which a person should ever be subjected for that portion of his conduct and character which concerns his own good, but which does not affect the interests of others in their relations with him. Acts injurious to others require a totally different treatment. Encroachment on their rights; infliction on them of any loss or damage not justified by his own rights; falsehood or duplicity in dealing with them; unfair or ungenerous use of advantages over them; even selfish abstinence from defending them against injury—these are fit objects of moral reprobation, and, in grave cases, of moral retribution and punishment. And not only these acts, but the dispositions which lead to them, are properly immoral, and fit subjects of disapprobation which may rise to abhorrence. Cruelty of disposition; malice and ill-nature; that most anti-social and odious of all passions, envy; dissimulation and insincerity, irascibility on insufficient cause, and resentment disproportioned to the provocation; the love of domineering over others; the desire to engross[1] more than one's share of advantages (the *pleonexia*[2] of the Greeks); the pride which derives gratification from the abasement of others; the egotism which thinks self and its concerns more important than everything else, and decides all doubtful questions in his own favor;—these are moral vices, and constitute a bad and odious moral character: unlike the self-regarding faults previously mentioned, which are not properly immoralities, and to whatever pitch[3] they may be carried, do not constitute wickedness. They may be proofs of any amount of folly, or want of personal dignity and self-respect; but they are only a subject of moral reprobation when they involve a breach of duty to others, for whose sake the individual is bound to have care for himself. What are called duties to ourselves are not socially obligatory, unless circumstances render them at the same time duties to others. The term duty to oneself, when it means anything more than prudence, means self-respect or self-development; and for none of these is any one accountable to his fellow-creatures, because for none of them is it for the good of mankind that he be held accountable to them.

The distinction between the loss of consideration which a person may rightly incur by defect of prudence or of personal dignity, and the reprobation which is due to him for an offence against the rights of others, is not a merely nominal distinction.[4] It makes a vast difference both in our feelings and in our conduct towards him, whether he displeases us in things in which we think we have a right to control him, or in things in which we know that we have not. If he displeases us, we may express our distaste, and we may stand aloof from a person as well as from a thing that displeases us; but we shall not therefore feel called on to make his life uncomfortable. We shall reflect that he already bears, or will bear, the whole penalty of his error; if he spoils his life by mismanagement, we shall not, for that reason, desire to spoil it still further: instead of wishing to punish him, we shall rather endeavor to alleviate his punishment, by showing him how he may avoid or cure the evils his conduct tends to bring upon him. He may be to us an object of pity, perhaps of dislike, but not of anger or resentment; we shall not treat him like an enemy of society: the worst we shall think ourselves justified in doing is leaving him to himself, if we do not interfere benevolently by showing interest or concern for him. It is far otherwise if he has infringed the rules necessary for the protection of his fellow-creatures, individually or collectively. The evil consequences of his acts do not then fall on himself, but on others; and society, as the protector of all its members, must retaliate on him; must inflict pain on him for the express purpose of punishment, and must take care that it be sufficiently severe. In the one case, he is an offender at our bar,[1] and we are called on not only to sit in judgment on him, but, in one shape or another, to execute our own sentence: in the other case, it is not our part to inflict any suffering on him, except what may incidentally follow from our using the same liberty in the regulation of our own affairs, which we allow to him in his.

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[1] *engross* Collect up all of, or in excess of.

[2] *pleonexia* Greek: greed.

[3] *pitch* Degree.

[4] *nominal distinction* A matter of words only, not a difference in reality.

The distinction here pointed out between the part of a person's life which concerns only himself, and that which concerns others, many persons will refuse to admit. How (it may be asked) can any part of the conduct of a member of society be a matter of indifference to the other members? No person is an entirely isolated being; it is impossible for a person to do anything seriously or permanently hurtful to himself, without mischief reaching at least to his near connections, and often far beyond them. If he injures his property, he does harm to those who directly or indirectly derived support from it, and usually diminishes, by a greater or less amount, the general resources of the community. If he deteriorates his bodily or mental faculties, he not only brings evil upon all who depended on him for any portion of their happiness, but disqualifies himself for rendering the services which he owes to his fellow-creatures generally; perhaps becomes a burden on their affection or benevolence; and if such conduct were very frequent, hardly any offence that is committed would detract more from the general sum of good. Finally, if by his vices or follies a person does no direct harm to others, he is nevertheless (it may be said) injurious by his example; and ought to be compelled to control himself, for the sake of those whom the sight or knowledge of his conduct might corrupt or mislead.

And even (it will be added) if the consequences of misconduct could be confined to the vicious or thoughtless individual, ought society to abandon to their own guidance those who are manifestly unfit for it? If protection against themselves is confessedly due to children and persons under age, is not society equally bound to afford it to persons of mature years who are equally incapable of self-government? If gambling, or drunkenness, or incontinence, or idleness, or uncleanliness,[2] are as injurious to happiness, and as great a hindrance to improvement, as many or most of the acts prohibited by law, why (it may be asked) should not law, so far as is consistent with practicability and social convenience, endeavor to repress these also? And as a supplement to the unavoidable imperfections of law, ought not opinion at least to organize a powerful police against these vices, and visit rigidly with social penalties those who are known to practice them? There is no question here (it may be said) about restricting individuality, or impeding the trial of new and original experiments in living. The only things it is sought to prevent are things which have been tried and condemned from the beginning of the world until now; things which experience has shown not to be useful or suitable to any person's individuality. There must be some length of time and amount of experience, after which a moral or prudential truth may be regarded as established, and it is merely desired to prevent generation after generation from falling over the same precipice which has been fatal to their predecessors.

I fully admit that the mischief which a person does to himself, may seriously affect, both through their sympathies and their interests, those nearly connected with him, and in a minor degree, society at large. When, by conduct of this sort, a person is led to violate a distinct and assignable obligation to any other person or persons, the case is taken out of the self-regarding class, and becomes amenable to moral disapprobation in the proper sense of the term. If, for example, a man, through intemperance or extravagance, becomes unable to pay his debts, or, having undertaken the moral responsibility of a family, becomes from the same cause incapable of supporting or educating them, he is deservedly reprobated, and might be justly punished; but it is for the breach of duty to his family or creditors, not for the extravagance. If the resources which ought to have been devoted to them, had been diverted from them for the most prudent investment, the moral culpability would have been the same. George Barnwell murdered his uncle to get money for his mistress, but if he had done it to set himself up in business, he would equally have been hanged. Again, in the frequent case of a man who causes grief to his family by addiction to bad habits, he deserves reproach for his unkindness or ingratitude; but so he may for cultivating habits not in themselves vicious, if they are painful to those with whom he passes his life, or who from personal ties are dependent on him for their comfort. Whoever fails in the consideration generally due to the interests and feelings of others, not being compelled by some more imperative duty, or justified by allowable self-preference, is a subject of moral disapprobation for that failure, but not for the cause of it, nor for the errors, merely personal to himself, which may have remotely led to it. In like manner, when a person disables himself, by conduct purely self-regarding, from the performance of some definite duty incumbent on him to the public, he is guilty of a social offence. No person ought to be punished simply for being drunk; but a soldier or a policeman should be punished for being drunk on duty. Whenever, in short, there is a definite damage, or a definite risk of damage, either to an individual or to the public, the case is taken out of the province of liberty, and placed in that of morality or law.

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[1] *bar* Law court.

[2] *uncleanliness* Mill may mean moral impurity.

But with regard to the merely contingent[1] or, as it may be called, constructive[2] injury which a person causes to society, by conduct which neither violates any specific duty to the public, nor occasions perceptible hurt to any assignable individual except himself; the inconvenience is one which society can afford to bear, for the sake of the greater good of human freedom. If grown persons are to be punished for not taking proper care of themselves, I would rather it were for their own sake, than under pretence of preventing them from impairing their capacity of rendering to society benefits which society does not pretend it has a right to exact. But I cannot consent to argue the point as if society had no means of bringing its weaker members up to its ordinary standard of rational conduct, except waiting till they do something irrational, and then punishing them, legally or morally, for it. Society has had absolute power over them during all the early portion of their existence: it has had the whole period of childhood and nonage in which to try whether it could make them capable of rational conduct in life. The existing generation is master both of the training and the entire circumstances of the generation to come; it cannot indeed make them perfectly wise and good, because it is itself so lamentably deficient in goodness and wisdom; and its best efforts are not always, in individual cases, its most successful ones; but it is perfectly well able to make the rising generation, as a whole, as good as, and a little better than, itself. If society lets any considerable number of its members grow up mere children, incapable of being acted on by rational consideration of distant motives,[3] society has itself to blame for the consequences. Armed not only with all the powers of education, but with the ascendancy which the authority of a received opinion always exercises over the minds who are least fitted to judge for themselves; and aided by the natural penalties which cannot be prevented from falling on those who incur the distaste or the contempt of those who know them; let not society pretend that it needs, besides all this, the power to issue commands and enforce obedience in the personal concerns of individuals, in which, on all principles of justice and policy, the decision ought to rest with those who are to abide the consequences. Nor is there anything which tends more to discredit and frustrate the better means of influencing conduct, than a resort to the worse. If there be among those whom it is attempted to coerce into prudence or temperance, any of the material of which vigorous and independent characters are made, they will infallibly rebel against the yoke. No such person will ever feel that others have a right to control him in his concerns, such as they have to prevent him from injuring them in theirs; and it easily comes to be considered a mark of spirit and courage to fly in the face of such usurped authority, and do with ostentation the exact opposite of what it enjoins; as in the fashion of grossness which succeeded, in the time of Charles II, to the fanatical moral intolerance of the Puritans. With respect to what is said of the necessity of protecting society from the bad example set to others by the vicious or the self-indulgent; it is true that bad example may have a pernicious effect, especially the example of doing wrong to others with impunity to the wrong-doer. But we are now speaking of conduct which, while it does no wrong to others, is supposed to do great harm to the agent himself: and I do not see how those who believe this, can think otherwise than that the example, on the whole, must be more salutary than hurtful, since, if it displays the misconduct, it displays also the painful or degrading consequences which, if the conduct is justly censured, must be supposed to be in all or most cases attendant on it.

But the strongest of all the arguments against the interference of the public with purely personal conduct, is that when it does interfere, the odds are that it interferes wrongly, and in the wrong place. On questions of social morality, of duty to others, the opinion of the public, that is, of an overruling majority, though often wrong, is likely to be still oftener right; because on such questions they are only required to judge of their own interests; of the manner in which some mode of conduct, if allowed to be practiced, would affect themselves. But the opinion of a similar majority, imposed as a law on the minority, on questions of self-regarding conduct, is quite as likely to be wrong as right; for in these cases public opinion means, at the best, some people's opinion of what is good or bad for other people; while very often it does not even mean that; the public, with the most perfect indifference, passing over the pleasure or convenience of those whose conduct they censure, and considering only their own preference. There are many who consider as an injury to themselves any conduct which they have a distaste for, and resent it as an outrage to their feelings; as a religious bigot, when charged with disregarding the religious feelings of others, has been known to retort that they disregard his feelings, by persisting in their abominable worship or creed. But there is no parity between the feeling of a person for his own opinion, and the feeling of another who is offended at his holding it; no more than between the desire of a thief to take a purse, and the desire of the right owner to keep it. And a person's taste is as much his own peculiar concern as his opinion or his purse. It is easy for any one to imagine an ideal public, which leaves the freedom and choice of individuals in all uncertain matters undisturbed, and only requires them to abstain from modes of conduct which universal experience has condemned. But where has there been seen a public which set any such limit to its censorship? or when does the public trouble itself about universal experience. In its interferences with personal conduct it is seldom thinking of anything but the enormity of acting or feeling differently from itself; and this standard of judgment, thinly disguised, is held up to mankind as the dictate of religion and philosophy, by nine tenths of all moralists and speculative writers. These teach that things are right because they are right; because we feel them to be so. They tell us to search in our own minds and hearts for laws of conduct binding on ourselves and on all others. What can the poor public do but apply these instructions, and make their own personal feelings of good and evil, if they are tolerably unanimous in them, obligatory on all the world?

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[1] *contingent* Dependent on variable external events.

[2] *constructive* Resulting from interpretation or inference—indirect or incidental.

[3] *rational consideration of distant motives* That is, motivated by considerations about the future. Mill is contrasting this with being motivated only by what is immediate.

The evil here pointed out is not one which exists only in theory; and it may perhaps be expected that I should specify the instances in which the public of this age and country improperly invests its own preferences with the character of moral laws. I am not writing an essay on the aberrations of existing moral feeling. That is too weighty a subject to be discussed parenthetically, and by way of illustration. Yet examples are necessary, to show that the principle I maintain is of serious and practical moment, and that I am not endeavoring to erect a barrier against imaginary evils. And it is not difficult to show, by abundant instances, that to extend the bounds of what may be called moral police, until it encroaches on the most unquestionably legitimate liberty of the individual, is one of the most universal of all human propensities.

As a first instance, consider the antipathies which men cherish on no better grounds than that persons whose religious opinions are different from theirs, do not practice their religious observances, especially their religious abstinences. To cite a rather trivial example, nothing in the creed or practice of Christians does more to envenom the hatred of Mahomedans[1] against them, than the fact of their eating pork. There are few acts which Christians and Europeans regard with more unaffected disgust, than Mussulmans[2] regard this particular mode of satisfying hunger. It is, in the first place, an offence against their religion; but this circumstance by no means explains either the degree or the kind of their repugnance; for wine also is forbidden by their religion, and to partake of it is by all Mussulmans accounted wrong, but not disgusting. Their aversion to the flesh of the "unclean beast" is, on the contrary, of that peculiar character, resembling an instinctive antipathy, which the idea of uncleanness, when once it thoroughly sinks into the feelings, seems always to excite even in those whose personal habits are anything but scrupulously cleanly and of which the sentiment of religious impurity, so intense in the Hindoos,[3] is a remarkable example. Suppose now that in a people, of whom the majority were Mussulmans, that majority should insist upon not permitting pork to be eaten within the limits of the country. This would be nothing new in Mahomedan countries.[4] Would it be a legitimate exercise of the moral authority of public opinion? and if not, why not? The practice is really revolting to such a public. They also sincerely think that it is forbidden and abhorred by the Deity. Neither could the prohibition be censured as religious persecution. It might be religious in its origin, but it would not be persecution for religion, since nobody's religion makes it a duty to eat pork. The only tenable ground of condemnation would be, that with the personal tastes and self-regarding concerns of individuals the public has no business to interfere.

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[1] *Mahomedans* Muslims.

[2] *Mussulmans* Muslims.

[3] *Hindoos* Hindus.

[4] *Mahomedan countries* [Mill's footnote] The case of the Bombay Parsees is a curious instance in point. When this industrious and enterprising tribe, the descendants of the Persian fire-worshippers, flying from their native country before the Caliphs, arrived in Western India, they were admitted to toleration by the Hindoo sovereigns, on condition of not eating beef. When those regions afterwards fell under the dominion of Mahomedan conquerors, the Parsees obtained from them a continuance of indulgence, on condition of refraining from pork. What was at first obedience to authority became a second nature, and the Parsees to this day abstain both from beef and pork. Though not required by their religion, the double abstinence has had time to grow into a custom of their tribe; and custom, in the East, is a religion.

To come somewhat nearer home: the majority of Spaniards consider it a gross impiety, offensive in the highest degree to the Supreme Being, to worship him in any other manner than the Roman Catholic; and no other public worship is lawful on Spanish soil. The people of all Southern Europe look upon a married clergy as not only irreligious, but unchaste, indecent, gross, disgusting. What do Protestants think of these perfectly sincere feelings, and of the attempt to enforce them against non-Catholics? Yet, if mankind are justified in interfering with each other's liberty in things which do not concern the interests of others, on what principle is it possible consistently to exclude these cases? or who can blame people for desiring to suppress what they regard as a scandal in the sight of God and man?

No stronger case can be shown for prohibiting anything which is regarded as a personal immorality, than is made out for suppressing these practices in the eyes of those who regard them as impieties; and unless we are willing to adopt the logic of persecutors, and to say that we may persecute others because we are right, and that they must not persecute us because they are wrong, we must beware of admitting a principle of which we should resent as a gross injustice the application to ourselves.

The preceding instances may be objected to, although unreasonably, as drawn from contingencies impossible among us: opinion, in this country, not being likely to enforce abstinence from meats, or to interfere with people for worshipping, and for either marrying or not marrying, according to their creed or inclination. The next example, however, shall be taken from an interference with liberty which we have by no means passed all danger of. Wherever the Puritans have been sufficiently powerful, as in New England, and in Great Britain at the time of the Commonwealth,[1] they have endeavored, with considerable success, to put down all public, and nearly all private, amusements: especially music, dancing, public games, or other assemblages for purposes of diversion, and the theater. There are still in this country large bodies of persons by whose notions of morality and religion these recreations are condemned; and those persons belonging chiefly to the middle class, who are the ascendant power in the present social and political condition of the kingdom, it is by no means impossible that persons of these sentiments may at some time or other command a majority in Parliament. How will the remaining portion of the community like to have the amusements that shall be permitted to them regulated by the religious and moral sentiments of the stricter Calvinists and Methodists? Would they not, with considerable peremptoriness,[2] desire these intrusively pious members of society to mind their own business? This is precisely what should be said to every government and every public, who have the pretension that no person shall enjoy any pleasure which they think wrong. But if the principle of the pretension be admitted, no one can reasonably object to its being acted on in the sense of the majority, or other preponderating power in the country; and all persons must be ready to conform to the idea of a Christian commonwealth, as understood by the early settlers in New England, if a religious profession similar to theirs should ever succeed in regaining its lost ground, as religions supposed to be declining have so often been known to do.

To imagine another contingency, perhaps more likely to be realized than the one last mentioned. There is confessedly a strong tendency in the modern world towards a democratic constitution of society, accompanied or not by popular political institutions. It is affirmed that in the country where this tendency is most completely realized—where both society and the government are most democratic—the United States—the feeling of the majority, to whom any appearance of a more showy or costly style of living than they can hope to rival is disagreeable, operates as a tolerably effectual sumptuary law,[3] and that in many parts of the Union it is really difficult for a person possessing a very large income, to find any mode of spending it, which will not incur popular disapprobation. Though such statements as these are doubtless much exaggerated as a representation of existing facts, the state of things they describe is not only a conceivable and possible, but a probable result of democratic feeling, combined with the notion that the public has a right to a veto on the manner in which individuals shall spend their incomes. We have only further to suppose a considerable diffusion of Socialist opinions, and it may become infamous in the eyes of the majority to possess more property than some very small amount, or any income not earned by manual labor. Opinions similar in principle to these, already prevail widely among the artisan class, and weigh oppressively on those who are amenable to the opinion chiefly of that class, namely, its own members. It is known that the bad workmen who form the majority of the operatives in many branches of industry, are decidedly of opinion that bad workmen ought to receive the same wages as good, and that no one ought to be allowed, through piecework or otherwise, to earn by superior skill or industry more than others can without it. And they employ a moral police, which occasionally becomes a physical one, to deter skilful workmen from receiving, and employers from giving, a larger remuneration for a more useful service. If the public have any jurisdiction over private concerns, I cannot see that these people are in fault, or that any individual's particular public can be blamed for asserting the same authority over his individual conduct, which the general public asserts over people in general.

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[1] *Commonwealth* Period between 1649–60 in which the monarchy had been overthrown and the Puritan Oliver Cromwell ruled as "Lord Protector."

[2] *peremptoriness* Determination so strong as to admit no denial.

[3] *sumptuary law* A law which attempts to prohibit display of wealth, especially showy clothing.

[...]

from *Chapter 5: Applications*

[...]

It was pointed out in an early part of this Essay, that the liberty of the individual, in things wherein the individual is alone concerned, implies a corresponding liberty in any number of individuals to regulate by mutual agreement such things as regard them jointly, and regard no persons but themselves. This question presents no difficulty, so long as the will of all the persons implicated remains unaltered; but since that will may change, it is often necessary, even in things in which they alone are concerned, that they should enter into engagements with one another; and when they do, it is fit, as a general rule, that those engagements should be kept. Yet in the laws probably, of every country, this general rule has some exceptions. Not only persons are not held to engagements which violate the rights of third parties, but it is sometimes considered a sufficient reason for releasing them from an engagement, that it is injurious to themselves. In this and most other civilized countries, for example, an engagement by which a person should sell himself, or allow himself to be sold, as a slave, would be null and void; neither enforced by law nor by opinion. The ground for thus limiting his power of voluntarily disposing of his own lot in life, is apparent, and is very clearly seen in this extreme case. The reason for not interfering, unless for the sake of others, with a person's voluntary acts, is consideration for his liberty. His voluntary choice is evidence that what he so chooses is desirable, or at the least endurable, to him, and his good is on the whole best provided for by allowing him to take his own means of pursuing it. But by selling himself for a slave, he abdicates his liberty; he foregoes any future use of it, beyond that single act. He therefore defeats, in his own case, the very purpose which is the justification of allowing him to dispose of himself. He is no longer free; but is thenceforth in a position which has no longer the presumption in its favor, that would be afforded by his voluntarily remaining in it. The principle of freedom cannot require that he should be free not to be free. It is not freedom, to be allowed to alienate his freedom. These reasons, the force of which is so conspicuous in this peculiar case, are evidently of far wider application; yet a limit is everywhere set to them by the necessities of life, which continually require, not indeed that we should resign our freedom, but that we should consent to this and the other limitation of it. The principle, however, which demands uncontrolled freedom of action in all that concerns only the agents themselves, requires that those who have become bound to one another, in things which concern no third party, should be able to release one another from the engagement: and even without such voluntary release, there are perhaps no contracts or engagements, except those that relate to money or money's worth, of which one can venture to say that there ought to be no liberty whatever of retractation[1]....

[...]

I have reserved for the last place a large class of questions respecting the limits of government interference, which, though closely connected with the subject of this Essay, do not, in strictness, belong to it. These are cases in which the reasons against interference do not turn upon the principle of liberty: the question is not about restraining the actions of individuals, but about helping them: it is asked whether the government should do, or cause to be done, something for their benefit, instead of leaving it to be done by themselves, individually, or in voluntary combination.

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[1] *retractation* Retraction.

The objections to government interference, when it is not such as to involve infringement of liberty, may be of three kinds.

The first is, when the thing to be done is likely to be better done by individuals than by the government. Speaking generally, there is no one so fit to conduct any business, or to determine how or by whom it shall be conducted, as those who are personally interested in it. This principle condemns the interferences, once so common, of the legislature, or the officers of government, with the ordinary processes of industry. But this part of the subject has been sufficiently enlarged upon by political economists, and is not particularly related to the principles of this Essay.

The second objection is more nearly allied to our subject. In many cases, though individuals may not do the particular thing so well, on the average, as the officers of government, it is nevertheless desirable that it should be done by them, rather than by the government, as a means to their own mental education—a mode of strengthening their active faculties, exercising their judgment, and giving them a familiar knowledge of the subjects with which they are thus left to deal. This is a principal, though not the sole, recommendation of jury trial (in cases not political); of free and popular local and municipal institutions; of the conduct of industrial and philanthropic enterprises by voluntary associations. These are not questions of liberty, and are connected with that subject only by remote tendencies; but they are questions of development. It belongs to a different occasion from the present to dwell on these things as parts of national education; as being, in truth, the peculiar training of a citizen, the practical part of the political education of a free people, taking them out of the narrow circle of personal and family selfishness, and accustoming them to the comprehension of joint interests, the management of joint concerns—habituating them to act from public or semi-public motives, and guide their conduct by aims which unite instead of isolating them from one another. Without these habits and powers, a free constitution can neither be worked nor preserved, as is exemplified by the too-often transitory nature of political freedom in countries where it does not rest upon a sufficient basis of local liberties. The management of purely local business by the localities, and of the great enterprises of industry by the union of those who voluntarily supply the pecuniary means, is further recommended by all the advantages which have been set forth in this Essay as belonging to individuality of development, and diversity of modes of action. Government operations tend to be everywhere alike. With individuals and voluntary associations, on the contrary, there are varied experiments, and endless diversity of experience. What the State can usefully do, is to make itself a central depository, and active circulator and diffuser, of the experience resulting from many trials. Its business is to enable each experimentalist to benefit by the experiments of others, instead of tolerating no experiments but its own.

The third, and most cogent reason for restricting the interference of government, is the great evil of adding unnecessarily to its power. Every function superadded to those already exercised by the government, causes its influence over hopes and fears to be more widely diffused, and converts, more and more, the active and ambitious part of the public into hangers-on of the government, or of some party which aims at becoming the government. If the roads, the railways, the banks, the insurance offices, the great joint-stock companies, the universities, and the public charities, were all of them branches of the government; if, in addition, the municipal corporations and local boards, with all that now devolves on them, became departments of the central administration; if the employees of all these different enterprises were appointed and paid by the government, and looked to the government for every rise in life; not all the freedom of the press and popular constitution of the legislature would make this or any other country free otherwise than in name. And the evil would be greater, the more efficiently and scientifically the administrative machinery was constructed—the more skilful the arrangements for obtaining the best qualified hands and heads with which to work it. In England it has of late been proposed that all the members of the civil service of government should be selected by competitive examination, to obtain for those employments the most intelligent and instructed persons procurable; and much has been said and written for and against this proposal. One of the arguments most insisted on by its opponents is that the occupation of a permanent official servant of the State does not hold out sufficient prospects of emolument[1] and importance to attract the highest talents, which will always be able to find a more inviting career in the professions, or in the service of companies and other public bodies. One would not have been surprised if this argument had been used by the friends of the proposition, as an answer to its principal difficulty. Coming from the opponents it is strange enough. What is urged as an objection is the safety-valve of the proposed system. If indeed all the high talent of the country could be drawn into the service of the government, a proposal tending to bring about that result might well inspire uneasiness. If every part of the business of society which required organized concert, or large and comprehensive views, were in the hands of the government, and if government offices were universally filled by the ablest men, all the enlarged culture and practiced intelligence in the country, except the purely speculative, would be concentrated in a numerous bureaucracy, to whom alone the rest of the community would look for all things: the multitude for direction and dictation in all they had to do; the able and aspiring for personal advancement. To be admitted into the ranks of this bureaucracy, and when admitted, to rise therein, would be the sole objects of ambition. Under this regime, not only is the outside public ill-qualified, for want of practical experience, to criticize or check the mode of operation of the bureaucracy, but even if the accidents of despotic or the natural working of popular institutions occasionally raise to the summit a ruler or rulers of reforming inclinations, no reform can be effected which is contrary to the interest of the bureaucracy …

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[1] *emolument* Payment.

[…]

It is not, also, to be forgotten, that the absorption of all the principal ability of the country into the governing body is fatal, sooner or later, to the mental activity and progressiveness of the body itself. Banded together as they are—working a system which, like all systems, necessarily proceeds in a great measure by fixed rules—the official body are under the constant temptation of sinking into indolent routine, or, if they now and then desert that mill-horse round,[1] of rushing into some half-examined crudity which has struck the fancy of some leading member of the corps: and the sole check to these closely allied, though seemingly opposite, tendencies, the only stimulus which can keep the ability of the body itself up to a high standard, is liability to the watchful criticism of equal ability outside the body. It is indispensable, therefore, that the means should exist, independently of the government, of forming such ability, and furnishing it with the opportunities and experience necessary for a correct judgment of great practical affairs. If we would possess permanently a skilful and efficient body of functionaries—above all, a body able to originate and willing to adopt improvements; if we would not have our bureaucracy degenerate into a pedantocracy,[2] this body must not engross all the occupations which form and cultivate the faculties required for the government of mankind.

… A government cannot have too much of the kind of activity which does not impede, but aids and stimulates, individual exertion and development. The mischief begins when, instead of calling forth the activity and powers of individuals and bodies, it substitutes its own activity for theirs; when, instead of informing, advising, and upon occasion denouncing, it makes them work in fetters or bids them stand aside and does their work instead of them. The worth of a State, in the long run, is the worth of the individuals composing it; and a State which postpones the interests of their mental expansion and elevation, to a little more of administrative skill or that semblance of it which practice gives, in the details of business; a State, which dwarfs its men, in order that they may be more docile instruments in its hands even for beneficial purposes, will find that with small men no great thing can really be accomplished; and that the perfection of machinery to which it has sacrificed everything, will in the end avail it nothing, for want of the vital power which, in order that the machine might work more smoothly, it has preferred to banish.

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Considerations on Representative Government (1861)

from *Chapter 10: Of the Mode of Voting*

The Question of greatest moment in regard to modes of voting is that of secrecy or publicity; and to this we will at once address ourselves.

It would be a great mistake to make the discussion turn on sentimentalities about skulking or cowardice. Secrecy is justifiable in many cases, imperative in some, and it is not cowardice to seek protection against evils which are honestly avoidable. Nor can it be reasonably maintained that no cases are conceivable in which secret voting is preferable to public. But I must contend that these cases, in affairs of a political character, are the exception, not the rule.

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[1] *mill-horse round* Routine repetitive work. (Horses working in mills turned horizontal wheels by walking round in the same circle over and over.)

[2] *pedantocracy* A pedant is someone too concerned with rules and details. Mill invented this term to apply to a bureaucracy consisting of such people.

The present is one of the many instances in which, as I have already had occasion to remark, the spirit of an institution, the impression it makes on the mind of the citizen, is one of the most important parts of its operation. The spirit of vote by ballot—the interpretation likely to be put on it in the mind of an elector—is that the suffrage is given to him for himself; for his particular use and benefit, and not as a trust for the public.[1] For if it is indeed a trust, if the public are entitled to his vote, are not they entitled to know his vote? This false and pernicious impression may well be made on the generality,[2] since it has been made on most of those who of late years have been conspicuous advocates of the ballot.

The doctrine was not so understood by its earlier promoters; but the effect of a doctrine on the mind is best shown, not in those who form it, but in those who are formed by it. Mr. Bright[3] and his school of democrats think themselves greatly concerned in maintaining that the franchise is what they term a right, not a trust.

Now this one idea, taking root in the general mind, does a moral mischief outweighing all the good that the ballot could do, at the highest possible estimate of it. In whatever way we define or understand the idea of a right, no person can have a right (except in the purely legal sense) to power over others: every such power, which he is allowed to possess, is morally, in the fullest force of the term, a trust. But the exercise of any political function, either as an elector or as a representative, is power over others.

Those who say that the suffrage is not a trust but a right will scarcely accept the conclusions to which their doctrine leads. If it is a right, if it belongs to the voter for his own sake, on what ground can we blame him for selling it, or using it to recommend himself to any one whom it is his interest to please? A person is not expected to consult exclusively the public benefit in the use he makes of his house, or his three per cent stock, or anything else to which he really has a right. The suffrage is indeed due to him, among other reasons, as a means to his own protection, but only against treatment from which he is equally bound, so far as depends on his vote, to protect every one of his fellow-citizens. His vote is not a thing in which he has an option; it has no more to do with his personal wishes than the verdict of a juryman. It is strictly a matter of duty; he is bound to give it according to his best and most conscientious opinion of the public good. Whoever has any other idea of it is unfit to have the suffrage; its effect on him is to pervert, not to elevate his mind. Instead of opening his heart to an exalted patriotism and the obligation of public duty, it awakens and nourishes in him the disposition to use a public function for his own interest, pleasure, or caprice; the same feelings and purposes, on a humbler scale, which actuate a despot and oppressor. Now an ordinary citizen in any public position, or on whom there devolves any social function, is certain to think and feel, respecting the obligations it imposes on him, exactly what society appears to think and feel in conferring it. What seems to be expected from him by society forms a standard which he may fall below, but which he will seldom rise above. And the interpretation which he is almost sure to put upon secret voting is that he is not bound to give his vote with any reference to those who are not allowed to know how he gives it; but may bestow it simply as he feels inclined.

This is the decisive reason why the argument does not hold, from the use of the ballot in clubs and private societies, to its adoption in parliamentary elections. A member of a club is really, what the elector falsely believes himself to be, under no obligation to consider the wishes or interests of any one else. He declares nothing by his vote but that he is or is not willing to associate, in a manner more or less close, with a particular person. This is a matter on which, by universal admission, his own pleasure or inclination is entitled to decide: and that he should be able so to decide it without risking a quarrel is best for everybody, the rejected person included. An additional reason rendering the ballot unobjectionable in these cases is that it does not necessarily or naturally lead to lying. The persons concerned are of the same class or rank, and it would be considered improper in one of them to press another with questions as to how he had voted. It is far otherwise in parliamentary elections, and is likely to remain so, as long as the social relations exist which produce the demand for the ballot; as long as one person is sufficiently the superior of another to think himself entitled to dictate his vote. And while this is the case, silence or an evasive answer is certain to be construed as proof that the vote given has not been that which was desired.

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[1] *trust for the public* Position of public obligation.

[2] *on the generality* In general.

[3] *Mr. Bright* John Bright (1811–89) was a radical British politician who supported the secret ballot, arguing that newly enfranchised tenants would face the threat of eviction were they to vote against the wishes of their landlord. The secret ballot was finally adopted by Britain in 1872.

In any political election, even by universal suffrage (and still more obviously in the case of a restricted suffrage), the voter is under an absolute moral obligation to consider the interest of the public, not his private advantage, and give his vote, to the best of his judgment, exactly as he would be bound to do if he were the sole voter, and the election depended upon him alone. This being admitted, it is at least a prima facie[1] consequence that the duty of voting, like any other public duty, should be performed under the eye and criticism of the public; every one of whom has not only an interest in its performance, but a good title to consider himself wronged if it is performed otherwise than honestly and carefully.

Undoubtedly neither this nor any other maxim of political morality is absolutely inviolable; it may be overruled by still more cogent considerations. But its weight is such that the cases which admit of a departure from it must be of a strikingly exceptional character.

It may, unquestionably, be the fact that if we attempt, by publicity,[2] to make the voter responsible to the public for his vote, he will practically be made responsible for it to some powerful individual, whose interest is more opposed to the general interest of the community than that of the voter himself would be if, by the shield of secrecy, he were released from responsibility altogether.

When this is the condition, in a high degree, of a large proportion of the voters, the ballot may be the smaller evil. When the voters are slaves, anything may be tolerated which enables them to throw off the yoke. The strongest case for the ballot is when the mischievous power of the Few over the Many is increasing. In the decline of the Roman republic the reasons for the ballot were irresistible. The oligarchy was yearly becoming richer and more tyrannical, the people poorer and more dependent, and it was necessary to erect stronger and stronger barriers against such abuse of the franchise as rendered it but an instrument the more in the hands of unprincipled persons of consequence.[3] As little can it be doubted that the ballot, so far as it existed, had a beneficial operation in the Athenian constitution. Even in the least unstable of the Grecian commonwealths freedom might be for the time destroyed by a single unfairly obtained popular vote; and though the Athenian voter was not sufficiently dependent to be habitually coerced, he might have been bribed, or intimidated by the lawless outrages of some knot of individuals, such as were not uncommon even at Athens among the youth of rank and fortune. The ballot was in these cases a valuable instrument of order, and conduced to the Eunomia[4] by which Athens was distinguished among the ancient commonwealths.

But in the more advanced states of modern Europe, and especially in this country, the power of coercing voters has declined and is declining; and bad voting is now less to be apprehended from the influences to which the voter is subject at the hands of others than from the sinister interests and discreditable feelings which belong to himself, either individually or as a member of a class. To secure him against the first, at the cost of removing all restraint from the last, would be to exchange a smaller and a diminishing evil for a greater and increasing one. [...]

Chapter 16: Of Nationality, as Connected with Representative Government

A portion of mankind may be said to constitute a Nationality if they are united among themselves by common sympathies which do not exist between them and any others—which make them co-operate with each other more willingly than with other people, desire to be under the same government, and desire that it should be government by themselves or a portion of themselves exclusively. This feeling of nationality may have been generated by various causes. Sometimes it is the effect of identity of race and descent. Community of language, and community of religion, greatly contribute to it. Geographical limits are one of its causes. But the strongest of all is identity of political antecedents; the possession of a national history, and consequent community of recollections; collective pride and humiliation, pleasure and regret, connected with the same incidents in the past. None of these circumstances, however, are either indispensable, or necessarily sufficient by themselves. Switzerland has a strong sentiment of nationality, though the cantons[1] are of different races, different languages, and different religions. Sicily has, throughout history, felt itself quite distinct in nationality from Naples, notwithstanding identity of religion, almost identity of language, and a considerable amount of common historical antecedents. The Flemish[2] and the Walloon[3] provinces of Belgium, notwithstanding diversity of race and language, have a much greater feeling of common nationality than the former have with Holland, or the latter with France. Yet in general the national feeling is proportionally weakened by the failure of any of the causes which contribute to it. Identity of language, literature, and, to some extent, of race and recollections, have maintained the feeling of nationality in considerable strength among the different portions of the German name, though they have at no time been really united under the same government; but the feeling has never reached to making the separate states desire to get rid of their autonomy. Among Italians an identity far from complete, of language and literature, combined with a geographical position which separates them by a distinct line from other countries, and, perhaps more than everything else, the possession of a common name, which makes them all glory in the past achievements in arts, arms, politics, religious primacy, science, and literature, of any who share the same designation, give rise to an amount of national feeling in the population which, though still imperfect, has been sufficient to produce the great events now passing before us,[4] notwithstanding a great mixture of races, and although they have never, in either ancient or modern history, been under the same government, except while that government extended or was extending itself over the greater part of the known world.[5]

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[1] *prima facie* [Latin: on its face.] At first sight.

[2] *publicity* Making (voting) public.

[3] *of consequence* Important in rank or social position.

[4] *Eunomia* Ancient Greek goddess of good order and legislation (and thus the personification of a well-ordered community).

Where the sentiment of nationality exists in any force, there is a prima facie case for uniting all the members of the nationality under the same government, and a government to themselves apart. This is merely saying that the question of government ought to be decided by the governed. One hardly knows what any division of the human race should be free to do if not to determine with which of the various collective bodies of human beings they choose to associate themselves.

But, when a people are ripe for free institutions, there is a still more vital consideration. Free institutions are next to impossible in a country made up of different nationalities. Among a people without fellow-feeling, especially if they read and speak different languages, the united public opinion, necessary to the working of representative government, cannot exist. The influences which form opinions and decide political acts are different in the different sections of the country. An altogether different set of leaders have the confidence of one part of the country and of another. The same books, newspapers, pamphlets, speeches, do not reach them. One section does not know what opinions, or what instigations, are circulating in another. The same incidents, the same acts, the same system of government, affect them in different ways; and each fears more injury to itself from the other nationalities than from the common arbiter, the state. Their mutual antipathies are generally much stronger than jealousy of the government. That any one of them feels aggrieved by the policy of the common ruler is sufficient to determine another to support that policy. Even if all are aggrieved, none feel that they can rely on the others for fidelity in a joint resistance; the strength of none is sufficient to resist alone, and each may reasonably think that it consults its own advantage most by bidding for the favor of the government against the rest. Above all, the grand and only effectual security in the last resort against the despotism of the government is in that case wanting: the sympathy of the army with the people. The military are the part of every community in whom, from the nature of the case, the distinction between their fellow-countrymen and foreigners is the deepest and strongest. To the rest of the people foreigners are merely strangers; to the soldier, they are men against whom he may be called, at a week's notice, to fight for life or death. The difference to him is that between friends and foes—we may almost say between fellow-men and another kind of animals: for as respects the enemy, the only law is that of force, and the only mitigation the same as in the case of other animals—that of simple humanity. Soldiers to whose feelings half or three-fourths of the subjects of the same government are foreigners will have no more scruple in mowing them down, and no more desire to ask the reason why, than they would have in doing the same thing against declared enemies. An army composed of various nationalities has no other patriotism than devotion to the flag. Such armies have been the executioners of liberty through the whole duration of modern history. The sole bond which holds them together is their officers and the government which they serve; and their only idea, if they have any, of public duty is obedience to orders. A government thus supported, by keeping its Hungarian regiments in Italy and its Italian in Hungary, can long continue to rule in both places with the iron rod of foreign conquerors.

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[1] *cantons* States into which Switzerland is divided.

[2] *Flemish* Of the Dutch-speaking people inhabiting the north of Belgium.

[3] *Walloon* Of the French-speaking people inhabiting the south of Belgium.

[4] *great events now passing before us* The Italian struggle for unification.

[5] *except while ... known world* That is, in ancient Roman times.

If it be said that so broadly marked a distinction between what is due to a fellow-countryman and what is due merely to a human creature is more worthy of savages than of civilized beings, and ought, with the utmost energy, to be contended against, no one holds that opinion more strongly than myself. But this object, one of the worthiest to which human endeavor can be directed, can never, in the present state of civilization, be promoted by keeping different nationalities of anything like equivalent strength under the same government. In a barbarous state of society the case is sometimes different. The government may then be interested in softening the antipathies of the races that peace may be preserved and the country more easily governed. But when there are either free institutions or a desire for them, in any of the peoples artificially tied together, the interest of the government lies in an exactly opposite direction. It is then interested in keeping up and envenoming their antipathies that they may be prevented from coalescing, and it may be enabled to use some of them as tools for the enslavement of others. The Austrian Court has now for a whole generation made these tactics its principal means of government; with what fatal success, at the time of the Vienna insurrection and the Hungarian contest,[1] the world knows too well. Happily there are now signs that improvement is too far advanced to permit this policy to be any longer successful.

For the preceding reasons, it is in general a necessary condition of free institutions that the boundaries of governments should coincide in the main with those of nationalities. But several considerations are liable to conflict in practice with this general principle. In the first place, its application is often precluded by geographical hindrances. There are parts even of Europe in which different nationalities are so locally intermingled that it is not practicable for them to be under separate governments. The population of Hungary is composed of Magyars, Slovaks, Croats, Serbs, Roumans,[2] and in some districts Germans, so mixed up as to be incapable of local separation; and there is no course open to them but to make a virtue of necessity, and reconcile themselves to living together under equal rights and laws. Their community of servitude, which dates only from the destruction of Hungarian independence in 1849, seems to be ripening and disposing them for such an equal union. The German colony of East Prussia is cut off from Germany by part of the ancient Poland, and being too weak to maintain separate independence, must, if geographical continuity is to be maintained, be either under a non-German government, or the intervening Polish territory must be under a German one. Another considerable region in which the dominant element of the population is German, the provinces of Courland, Esthonia, and Livonia,[3] is condemned by its local situation to form part of a Slavonian state. In Eastern Germany itself there is a large Slavonic population: Bohemia is principally Slavonic, Silesia and other districts partially so. The most united country in Europe, France, is far from being homogeneous: independently of the fragments of foreign nationalities at its remote extremities, it consists, as language and history prove, of two portions, one occupied almost exclusively by a Gallo-Roman population, while in the other the Frankish, Burgundian, and other Teutonic races form a considerable ingredient.

When proper allowance has been made for geographical exigencies, another more purely moral and social consideration offers itself. Experience proves that it is possible for one nationality to merge and be absorbed in another: and when it was originally an inferior and more backward portion of the human race the absorption is greatly to its advantage. Nobody can suppose that it is not more beneficial to a Breton, or a Basque of French Navarre, to be brought into the current of the ideas and feelings of a highly civilized and cultivated people—to be a member of the French nationality, admitted on equal terms to all the privileges of French citizenship, sharing the advantages of French protection, and the dignity and prestige of French power—than to sulk on his own rocks, the half-savage relic of past times, revolving in his own little mental orbit, without participation or interest in the general movement of the world. The same remark applies to the Welshman or the Scottish Highlander as members of the British nation.

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[1] *Vienna insurrection and Hungarian contest* The Vienna insurrection and the Hungarian revolt, 1848, were both nationalist uprisings against the Habsburg rule.

[2] *Roumans* Romanians.

[3] *Courland, Esthonia, and Livonia* Now parts of Latvia, Lithuania, and Estonia.

Whatever really tends to the admixture of nationalities, and the blending of their attributes and peculiarities in a common union, is a benefit to the human race. Not by extinguishing types, of which, in these cases, sufficient examples are sure to remain, but by softening their extreme forms, and filling up the intervals between them. The united people, like a crossed breed of animals (but in a still greater degree, because the influences in operation are moral as well as physical), inherits the special aptitudes and excellences of all its progenitors, protected by the admixture from being exaggerated into the neighboring vices. But to render this admixture possible, there must be peculiar conditions. The combinations of circumstances which occur, and which effect the result, are various.

The nationalities brought together under the same government may be about equal in numbers and strength, or they may be very unequal. If unequal, the least numerous of the two may either be the superior in civilization, or the inferior. Supposing it to be superior, it may either, through that superiority, be able to acquire ascendancy over the other, or it may be overcome by brute strength and reduced to subjection. This last is a sheer mischief to the human race, and one which civilized humanity with one accord should rise in arms to prevent. The absorption of Greece by Macedonia was one of the greatest misfortunes which ever happened to the world: that of any of the principal countries of Europe by Russia would be a similar one.

If the smaller nationality, supposed to be the more advanced in improvement, is able to overcome the greater, as the Macedonians, reinforced by the Greeks, did Asia, and the English India, there is often a gain to civilization: but the conquerors and the conquered cannot in this case live together under the same free institutions. The absorption of the conquerors in the less advanced people would be an evil: these, must be governed as subjects, and the state of things is either a benefit or a misfortune, according as the subjugated people have or have not reached the state in which it is an injury not to be under a free government, and according as the conquerors do or do not use their superiority in a manner calculated to fit the conquered for a higher stage of improvement. This topic will be particularly treated of in a subsequent chapter.

When the nationality which succeeds in overpowering the other is both the most numerous and the most improved; and especially if the subdued nationality is small, and has no hope of reasserting its independence; then, if it is governed with any tolerable justice, and if the members of the more powerful nationality are not made odious by being invested with exclusive privileges, the smaller nationality is gradually reconciled to its position, and becomes amalgamated with the larger. No Bas-Breton, nor even any Alsatian, has the smallest wish at the present day to be separated from France. If all Irishmen have not yet arrived at the same disposition towards England, it is partly because they are sufficiently numerous to be capable of constituting a respectable nationality by themselves; but principally because, until of late years, they had been so atrociously governed, that all their best feelings combined with their bad ones in rousing bitter resentment against the Saxon rule. This disgrace to England, and calamity to the whole empire, has, it may be truly said, completely ceased for nearly a generation. No Irishman is now less free than an Anglo-Saxon, nor has a less share of every benefit either to his country or to his individual fortunes than if he were sprung from any other portion of the British dominions. The only remaining real grievance of Ireland, that of the State Church, is one which half, or nearly half, the people of the larger island have in common with them. There is now next to nothing, except the memory of the past, and the difference in the predominant religion, to keep apart two races, perhaps the most fitted of any two in the world to be the completing counterpart of one another. The consciousness of being at last treated not only with equal justice but with equal consideration is making such rapid way in the Irish nation as to be wearing off all feelings that could make them insensible to the benefits which the less numerous and less wealthy people must necessarily derive from being fellow-citizens instead of foreigners to those who are not only their nearest neighbors, but the wealthiest, and one of the freest, as well as most civilized and powerful, nations of the earth.

The cases in which the greatest practical obstacles exist to the blending of nationalities are when the nationalities which have been bound together are nearly equal in numbers and in the other elements of power. In such cases, each, confiding in its strength, and feeling itself capable of maintaining an equal struggle with any of the others, is unwilling to be merged in it: each cultivates with party obstinacy its distinctive peculiarities; obsolete customs, and even declining languages, are revived to deepen the separation; each deems itself tyrannized over if any authority is exercised within itself by functionaries[1] of a rival race; and whatever is given to one of the conflicting nationalities is considered to be taken from all the rest. When nations, thus divided, are under a despotic government which is a stranger to all of them, or which, though sprung from one, yet feeling greater interest in its own power than in any sympathies of nationality, assigns no privilege to either nation, and chooses its instruments indifferently from all; in the course of a few generations, identity of situation often produces harmony of feeling, and the different races come to feel towards each other as fellow-countrymen; particularly if they are dispersed over the same tract of country. But if the era of aspiration to free government arrives before this fusion has been effected, the opportunity has gone by for effecting it. From that time, if the unreconciled nationalities are geographically separate, and especially if their local position is such that there is no natural fitness or convenience in their being under the same government (as in the case of an Italian province under a French or German yoke), there is not only an obvious propriety, but, if either freedom or concord is cared for, a necessity, for breaking the connection altogether. There may be cases in which the provinces, after separation, might usefully remain united by a federal tie: but it generally happens that if they are willing to forego complete independence, and become members of a federation, each of them has other neighbors with whom it would prefer to connect itself, having more sympathies in common, if not also greater community of interest.

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[1] *functionaries* Officials.

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Utilitarianism (1863)[1]

[...]

from *Chapter 2: What Utilitarianism Is*

The creed which accepts as the foundation of morals, Utility, or the Greatest Happiness Principle, holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure, and the absence of pain; by unhappiness, pain, and the privation of pleasure. To give a clear view of the moral standard set up by the theory, much more requires to be said; in particular, what things it includes in the ideas of pain and pleasure; and to what extent this is left an open question. But these supplementary explanations do not affect the theory of life on which this theory of morality is grounded—namely, that pleasure, and freedom from pain, are the only things desirable as ends; and that all desirable things (which are as numerous in the utilitarian as in any other scheme) are desirable either for the pleasure inherent in themselves, or as means to the promotion of pleasure and the prevention of pain.

Now, such a theory of life excites in many minds, and among them in some of the most estimable in feeling and purpose, inveterate dislike. To suppose that life has (as they express it) no higher end than pleasure—no better and nobler object of desire and pursuit—they designate as utterly mean and grovelling; as a doctrine worthy only of swine, to whom the followers of Epicurus were, at a very early period, contemptuously likened;[2] and modern holders of the doctrine are occasionally made the subject of equally polite comparisons by its German, French, and English assailants.

When thus attacked, the Epicureans have always answered, that it is not they, but their accusers, who represent human nature in a degrading light; since the accusation supposes human beings to be capable of no pleasures except those of which swine are capable. If this supposition were true, the charge could not be gainsaid,[3] but would then be no longer an imputation; for if the sources of pleasure were precisely the same to human beings and to swine, the rule of life which is good enough for the one would be good enough for the other. The comparison of the Epicurean life to that of beasts is felt as degrading, precisely because a beast's pleasures do not satisfy a human being's conceptions of happiness. Human beings have faculties more elevated than the animal appetites, and when once made conscious of them, do not regard anything as happiness which does not include their gratification. I do not, indeed, consider the Epicureans to have been by any means faultless in drawing out their scheme of consequences from the utilitarian principle. To do this in any sufficient manner, many Stoic,[1] as well as Christian elements require to be included. But there is no known Epicurean theory of life which does not assign to the pleasures of the intellect, of the feelings and imagination, and of the moral sentiments, a much higher value as pleasures than to those of mere sensation. It must be admitted, however, that utilitarian writers in general have placed the superiority of mental over bodily pleasures chiefly in the greater permanency, safety, uncostliness, etc., of the former—that is, in their circumstantial advantages rather than in their intrinsic nature. And on all these points utilitarians have fully proved their case; but they might have taken the other, and, as it may be called, higher ground, with entire consistency. It is quite compatible with the principle of utility to recognise the fact, that some *kinds* of pleasure are more desirable and more valuable than others. It would be absurd that while, in estimating all other things, quality is considered as well as quantity, the estimation of pleasures should be supposed to depend on quantity alone.

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[1] *Utilitarianism* was first published in 1861 as a series of three essays in volume 64 of *Fraser's Magazine*. It was first published as a book in 1863; this text is from the fourth edition, published in 1871 (by Longmans, Green, Reader, and Dyer), the last to be printed in Mill's lifetime.

[2] *to whom … likened* For example, in Diogenes Laertius's *Lives of Eminent Philosophers*, written c. 230 CE.

[3] *gainsaid* Denied.

If I am asked, what I mean by difference of quality in pleasures, or what makes one pleasure more valuable than another, merely as a pleasure, except its being greater in amount, there is but one possible answer. Of two pleasures, if there be one to which all or almost all who have experience of both give a decided preference, irrespective of any feeling of moral obligation to prefer it, that is the more desirable pleasure. If one of the two is, by those who are competently acquainted with both, placed so far above the other that they prefer it, even though knowing it to be attended with a greater amount of discontent, and would not resign it for any quantity of the other pleasure which their nature is capable of, we are justified in ascribing to the preferred enjoyment a superiority in quality, so far outweighing quantity as to render it, in comparison, of small account.

Now it is an unquestionable fact that those who are equally acquainted with, and equally capable of appreciating and enjoying, both, do give a most marked preference to the manner of existence which employs their higher faculties. Few human creatures would consent to be changed into any of the lower animals, for a promise of the fullest allowance of a beast's pleasures; no intelligent human being would consent to be a fool, no instructed person would be an ignoramus, no person of feeling and conscience would be selfish and base, even though they should be persuaded that the fool, the dunce, or the rascal is better satisfied with his lot than they are with theirs. They would not resign what they possess more than he for the most complete satisfaction of all the desires which they have in common with him. If they ever fancy they would, it is only in cases of unhappiness so extreme, that to escape from it they would exchange their lot for almost any other, however undesirable in their own eyes. A being of higher faculties requires more to make him happy, is capable probably of more acute suffering, and certainly accessible to it at more points, than one of an inferior type; but in spite of these liabilities, he can never really wish to sink into what he feels to be a lower grade of existence. We may give what explanation we please of this unwillingness; we may attribute it to pride, a name which is given indiscriminately to some of the most and to some of the least estimable feelings of which mankind are capable: we may refer it to the love of liberty and personal independence, an appeal to which was with the Stoics one of the most effective means for the inculcation of it; to the love of power, or to the love of excitement, both of which do really enter into and contribute to it: but its most appropriate appellation is a sense of dignity, which all human beings possess in one form or other, and in some, though by no means in exact, proportion to their higher faculties, and which is so essential a part of the happiness of those in whom it is strong, that nothing which conflicts with it could be, otherwise than momentarily, an object of desire to them. Whoever supposes that this preference takes place at a sacrifice of happiness—that the superior being, in anything like equal circumstances, is not happier than the inferior—confounds the two very different ideas, of happiness, and content. It is indisputable that the being whose capacities of enjoyment are low, has the greatest chance of having them fully satisfied; and a highly endowed being will always feel that any happiness which he can look for, as the world is constituted, is imperfect. But he can learn to bear its imperfections, if they are at all bearable; and they will not make him envy the being who is indeed unconscious of the imperfections, but only because he feels not at all the good which those imperfections qualify. It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied. And if the fool, or the pig, are of a different opinion, it is because they only know their own side of the question. The other party to the comparison knows both sides.

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[1] *Stoic* Stoicism was, with Epicureanism, one of the two main strands of "Hellenistic" philosophy (roughly, that associated with Greek culture during the 300 years after the death of Alexander the Great in 323 BCE). Its main ethical doctrine was that wise and virtuous individuals accept, with calm indifference, their place in the impartial, rational, inevitable order of the universe—even if it is their fate to suffer hardship or painful death—but also work dutifully to foster a social order that mirrors the rational order of the cosmos.

It may be objected, that many who are capable of the higher pleasures, occasionally, under the influence of temptation, postpone them to the lower. But this is quite compatible with a full appreciation of the intrinsic superiority of the higher. Men often, from infirmity of character, make their election for[1] the nearer good, though they know it to be the less valuable; and this no less when the choice is between two bodily pleasures, than when it is between bodily and mental. They pursue sensual indulgences to the injury of health, though perfectly aware that health is the greater good.

It may be further objected, that many who begin with youthful enthusiasm for everything noble, as they advance in years sink into indolence and selfishness. But I do not believe that those who undergo this very common change, voluntarily choose the lower description of pleasures in preference to the higher. I believe that before they devote themselves exclusively to the one, they have already become incapable of the other. Capacity for the nobler feelings is in most natures a very tender plant, easily killed, not only by hostile influences, but by mere want of sustenance; and in the majority of young persons it speedily dies away if the occupations to which their position in life has devoted them, and the society into which it has thrown them, are not favourable to keeping that higher capacity in exercise. Men lose their high aspirations as they lose their intellectual tastes, because they have not time or opportunity for indulging them; and they addict themselves to inferior pleasures, not because they deliberately prefer them, but because they are either the only ones to which they have access, or the only ones which they are any longer capable of enjoying. It may be questioned whether any one who has remained equally susceptible to both classes of pleasures, ever knowingly and calmly preferred the lower; though many, in all ages, have broken down in an ineffectual attempt to combine both.

From this verdict of the only competent judges, I apprehend there can be no appeal. On a question which is the best worth having of two pleasures, or which of two modes of existence is the most grateful to the feelings, apart from its moral attributes and from its consequences, the judgment of those who are qualified by knowledge of both, or, if they differ, that of the majority among them, must be admitted as final. And there needs be the less hesitation to accept this judgment respecting the quality of pleasures, since there is no other tribunal to be referred to even on the question of quantity. What means are there of determining which is the acutest of two pains, or the intensest of two pleasurable sensations, except the general suffrage[2] of those who are familiar with both? Neither pains nor pleasures are homogeneous, and pain is always heterogeneous with pleasure. What is there to decide whether a particular pleasure is worth purchasing at the cost of a particular pain, except the feelings and judgment of the experienced? When, therefore, those feelings and judgment declare the pleasures derived from the higher faculties to be preferable *in kind*, apart from the question of intensity, to those of which the animal nature, disjoined from the higher faculties, is susceptible, they are entitled on this subject to the same regard.

I have dwelt on this point, as being a necessary part of a perfectly just conception of Utility or Happiness, considered as the directive rule of human conduct. But it is by no means an indispensable condition to the acceptance of the utilitarian standard; for that standard is not the agent's own greatest happiness, but the greatest amount of happiness altogether; and if it may possibly be doubted whether a noble character is always the happier for its nobleness, there can be no doubt that it makes other people happier, and that the world in general is immensely a gainer by it. Utilitarianism, therefore, could only attain its end by the general cultivation of nobleness of character, even if each individual were only benefited by the nobleness of others, and his own, so far as happiness is concerned, were a sheer deduction[3] from the benefit. But the bare enunciation of such an absurdity as this last, renders refutation superfluous.

According to the Greatest Happiness Principle, as above explained, the ultimate end, with reference to and for the sake of which all other things are desirable (whether we are considering our own good or that of other people), is an existence exempt as far as possible from pain, and as rich as possible in enjoyments, both in point of quantity and quality; the test of quality, and the rule for measuring it against quantity, being the preference felt by those who in their opportunities of experience, to which must be added their habits of self-consciousness and self-observation, are best furnished with the means of comparison. This, being, according to the utilitarian opinion, the end of human action, is necessarily also the standard of morality; which may accordingly be defined, the rules and precepts for human conduct, by the observance of which an existence such as has been described might be, to the greatest extent possible, secured to all mankind; and not to them only, but, so far as the nature of things admits, to the whole sentient creation.[1] [...]

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[1] *make their election for* Choose.

[2] *the general suffrage* A view expressed by voting (or the right to make such a vote).

[3] *deduction* Subtraction (as opposed to an inference).

Though it is only in a very imperfect state of the world's arrangements that any one can best serve the happiness of others by the absolute sacrifice of his own, yet so long as the world is in that imperfect state, I fully acknowledge that the readiness to make such a sacrifice is the highest virtue which can be found in man. I will add, that in this condition of the world, paradoxical as the assertion may be, the conscious ability to do without happiness gives the best prospect of realising such happiness as is attainable. For nothing except that consciousness can raise a person above the chances of life, by making him feel that, let fate and fortune do their worst, they have not power to subdue him: which, once felt, frees him from excess of anxiety concerning the evils of life, and enables him, like many a Stoic in the worst times of the Roman Empire,[2] to cultivate in tranquillity the sources of satisfaction accessible to him, without concerning himself about the uncertainty of their duration, any more than about their inevitable end.

Meanwhile, let utilitarians never cease to claim the morality of self-devotion as a possession which belongs by as good a right to them, as either to the Stoic or to the Transcendentalist.[3] The utilitarian morality does recognise in human beings the power of sacrificing their own greatest good for the good of others. It only refuses to admit that the sacrifice is itself a good. A sacrifice which does not increase, or tend to increase, the sum total of happiness, it considers as wasted. The only self-renunciation which it applauds, is devotion to the happiness, or to some of the means of happiness, of others; either of mankind collectively, or of individuals within the limits imposed by the collective interests of mankind.

I must again repeat, what the assailants of utilitarianism seldom have the justice to acknowledge, that the happiness which forms the utilitarian standard of what is right in conduct, is not the agent's own happiness, but that of all concerned. As between his own happiness and that of others, utilitarianism requires him to be as strictly impartial as a disinterested[4] and benevolent spectator. [...]

from *Chapter 3: Of the Ultimate Sanction*[5] *of the Principle of Utility*

The question is often asked, and properly so, in regard to any supposed moral standard—What is its sanction? what are the motives to obey it? or more specifically, what is the source of its obligation? whence does it derive its binding force? It is a necessary part of moral philosophy to provide the answer to this question; which, though frequently assuming the shape of an objection to the utilitarian morality, as if it had some special applicability to that above others, really arises in regard to all standards. It arises, in fact, whenever a person is called on to *adopt* a standard, or refer morality to any basis on which he has not been accustomed to rest it. For the customary morality, that which education and opinion have consecrated, is the only one which presents itself to the mind with the feeling of being *in itself* obligatory; and when a person is asked to believe that this morality *derives* its obligation from some general principle round which custom has not thrown the same halo, the assertion is to him a paradox; the supposed corollaries seem to have a more binding force than the original theorem; the superstructure seems to stand better without, than with, what is represented as its foundation. He says to himself, I feel that I am bound not to rob or murder, betray or deceive; but why am I bound to promote the general happiness? If my own happiness lies in something else, why may I not give that the preference?

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[1] *to the whole sentient creation* To all creatures capable of sensation (and thus of feeling pleasure and pain).

[2] *like many ... Roman Empire* Many Stoics were punished or killed for opposing dictatorial Roman emperors.

[3] *Transcendentalist* Those—such as Kant—who think the evidence for moral truths "transcends" human sense experience.

[4] *disinterested* Free from bias or self-interest (not *un*interested or bored!).

[5] *Sanction* "Sanction" was a technical term in eighteenth- and nineteenth-century philosophy. Sanctions are the *sources* of the pleasures and pains that motivate people to act. For example, Bentham—in his *Introduction to the Principles of Morals and Legislation*—distinguished between four different types of sanction: "physical" (e.g., hunger or sexual desire), "political" (e.g., prison), "religious" (e.g., heaven and hell), and "moral" (e.g., social disapproval).

If the view adopted by the utilitarian philosophy of the nature of the moral sense be correct, this difficulty will always present itself, until the influences which form moral character have taken the same hold of the principle which they have taken of some of the consequences—until, by the improvement of education, the feeling of unity with our fellow-creatures shall be (what it cannot be denied that Christ intended it to be) as deeply rooted in our character, and to our own consciousness as completely a part of our nature, as the horror of crime is in an ordinarily well brought up young person. In the meantime, however, the difficulty has no peculiar application to the doctrine of utility, but is inherent in every attempt to analyse morality and reduce it to principles; which, unless the principle is already in men's minds invested with as much sacredness as any of its applications, always seems to divest them of a part of their sanctity.

The principle of utility either has, or there is no reason why it might not have, all the sanctions which belong to any other system of morals. Those sanctions are either external or internal. Of the external sanctions it is not necessary to speak at any length. They are, the hope of favour and the fear of displeasure, from our fellow creatures or from the Ruler of the Universe, along with whatever we may have of sympathy or affection for them, or of love and awe of Him, inclining us to do his will independently of selfish consequences. There is evidently no reason why all these motives for observance should not attach themselves to the utilitarian morality, as completely and as powerfully as to any other. Indeed, those of them which refer to our fellow creatures are sure to do so, in proportion to the amount of general intelligence; for whether there be any other ground of moral obligation than the general happiness or not, men do desire happiness; and however imperfect may be their own practice, they desire and commend all conduct in others towards themselves, by which they think their happiness is promoted. With regard to the religious motive, if men believe, as most profess to do, in the goodness of God, those who think that conduciveness to the general happiness is the essence, or even only the criterion of good, must necessarily believe that it is also that which God approves. The whole force therefore of external reward and punishment, whether physical or moral, and whether proceeding from God or from our fellow men, together with all that the capacities of human nature admit of disinterested devotion to either, become available to enforce the utilitarian morality, in proportion as that morality is recognised; and the more powerfully, the more the appliances of education and general cultivation are bent to the purpose.

So far as to external sanctions. The internal sanction of duty, whatever our standard of duty may be, is one and the same—a feeling in our own mind; a pain, more or less intense, attendant on violation of duty, which in properly cultivated moral natures rises, in the more serious cases, into shrinking from it as an impossibility. This feeling, when disinterested, and connecting itself with the pure idea of duty, and not with some particular form of it, or with any of the merely accessory circumstances, is the essence of Conscience; though in that complex phenomenon as it actually exists, the simple fact is in general all encrusted over with collateral associations, derived from sympathy, from love, and still more from fear; from all the forms of religious feeling; from the recollections of childhood and of all our past life; from self-esteem, desire of the esteem of others, and occasionally even self-abasement. This extreme complication is, I apprehend, the origin of the sort of mystical character which, by a tendency of the human mind of which there are many other examples, is apt to be attributed to the idea of moral obligation, and which leads people to believe that the idea cannot possibly attach itself to any other objects than those which, by a supposed mysterious law, are found in our present experience to excite it. Its binding force, however, consists in the existence of a mass of feeling which must be broken through in order to do what violates our standard of right, and which, if we do nevertheless violate that standard, will probably have to be encountered afterwards in the form of remorse. Whatever theory we have of the nature or origin of conscience, this is what essentially constitutes it.

The ultimate sanction, therefore, of all morality (external motives apart) being a subjective feeling in our own minds, I see nothing embarrassing to those whose standard is utility, in the question, what is the sanction of that particular standard? We may answer, the same as of all other moral standards—the conscientious feelings of mankind. Undoubtedly this sanction has no binding efficacy on those who do not possess the feelings it appeals to; but neither will these persons be more obedient to any other moral principle than to the utilitarian one. On them morality of any kind has no hold but through the external sanctions. Meanwhile the feelings exist, a fact in human nature, the reality of which, and the great power with which they are capable of acting on those in whom they have been duly cultivated, are proved by experience. No reason has ever been shown why they may not be cultivated to as great intensity in connection with the utilitarian, as with any other rule of morals.

[...]

from *Chapter 5: On the Connection between Justice and Utility*

In all ages of speculation, one of the strongest obstacles to the reception of the doctrine that Utility or Happiness is the criterion of right and wrong, has been drawn from the idea of justice. The powerful sentiment, and apparently clear perception, which that word recalls with a rapidity and certainty resembling an instinct, have seemed to the majority of thinkers to point to an inherent quality in things; to show that the just must have an existence in Nature as something absolute, generically distinct from every variety of the Expedient,[1] and, in idea, opposed to it, though (as is commonly acknowledged) never, in the long run, disjoined from it in fact.

In the case of this, as of our other moral sentiments, there is no necessary connection between the question of its origin, and that of its binding force. That a feeling is bestowed on us by Nature, does not necessarily legitimate all its promptings. The feeling of justice might be a peculiar instinct, and might yet require, like our other instincts, to be controlled and enlightened by a higher reason. If we have intellectual instincts, leading us to judge in a particular way, as well as animal instincts that prompt us to act in a particular way, there is no necessity that the former should be more infallible in their sphere than the latter in theirs: it may as well happen that wrong judgments are occasionally suggested by those, as wrong actions by these. But though it is one thing to believe that we have natural feelings of justice, and another to acknowledge them as an ultimate criterion of conduct, these two opinions are very closely connected in point of fact. Mankind are always predisposed to believe that any subjective feeling, not otherwise accounted for, is a revelation of some objective reality. Our present object is to determine whether the reality, to which the feeling of justice corresponds, is one which needs any such special revelation; whether the justice or injustice of an action is a thing intrinsically peculiar, and distinct from all its other qualities, or only a combination of certain of those qualities, presented under a peculiar aspect. For the purpose of this inquiry it is practically important to consider whether the feeling itself, of justice and injustice, is *sui generis*[2] like our sensations of color and taste, or a derivative feeling, formed by a combination of others. And this it is the more essential to examine, as people are in general willing enough to allow, that objectively the dictates of justice coincide with a part of the field of General Expediency; but inasmuch as the subjective mental feeling of justice is different from that which commonly attaches to simple expediency, and, except in the extreme cases of the latter, is far more imperative in its demands, people find it difficult to see, in justice, only a particular kind or branch of general utility, and think that its superior binding force requires a totally different origin.

To throw light upon this question, it is necessary to attempt to ascertain what is the distinguishing character of justice, or of injustice: what is the quality, or whether there is any quality, attributed in common to all modes of conduct designated as unjust (for justice, like many other moral attributes, is best defined by its opposite), and distinguishing them from such modes of conduct as are disapproved, but without having that particular epithet of disapprobation[3] applied to them. If in everything which men are accustomed to characterize as just or unjust, some one common attribute or collection of attributes is always present, we may judge whether this particular attribute or combination of attributes would be capable of gathering round it a sentiment of that peculiar character and intensity by virtue of the general laws of our emotional constitution, or whether the sentiment is inexplicable, and requires to be regarded as a special provision of Nature. If we find the former to be the case, we shall, in resolving this question, have resolved also the main problem: if the latter, we shall have to seek for some other mode of investigating it.

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To find the common attributes of a variety of objects, it is necessary to begin by surveying the objects themselves in the concrete. Let us therefore advert successively[4] to the various modes of action, and arrangements of human affairs, which are classed, by universal or widely spread opinion, as Just or as Unjust. The things well known to excite the sentiments associated with those names are of a very multifarious character. I shall pass them rapidly in review, without studying any particular arrangement.

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[1] *Expedient* An action is "expedient" in Mill's terms when it produces utility—when, that is, it will result in the greatest happiness for the greatest number of people.

[2] *sui generis* Latin: "of its own kind."

[3] *disapprobation* Insulting term of disapproval.

[4] *advert successively* Refer, one-by-one, in turn.

In the first place, it is mostly considered unjust to deprive any one of his personal liberty, his property, or any other thing which belongs to him by law. Here, therefore, is one instance of the application of the terms just and unjust in a perfectly definite sense, namely, that it is just to respect, unjust to violate, the *legal rights* of any one. But this judgment admits of several exceptions, arising from the other forms in which the notions of justice and injustice present themselves. For example, the person who suffers the deprivation may (as the phrase is) have *forfeited* the rights which he is so deprived of: a case to which we shall return presently. But also,

Secondly; the legal rights of which he is deprived, may be rights which *ought* not to have belonged to him; in other words, the law which confers on him these rights, may be a bad law. When it is so, or when (which is the same thing for our purpose) it is supposed to be so, opinions will differ as to the justice or injustice of infringing it. Some maintain that no law, however bad, ought to be disobeyed by an individual citizen; that his opposition to it, if shown at all, should only be shown in endeavoring to get it altered by competent authority. This opinion (which condemns many of the most illustrious benefactors of mankind, and would often protect pernicious institutions against the only weapons which, in the state of things existing at the time, have any chance of succeeding against them) is defended, by those who hold it, on grounds of expediency; principally on that of the importance, to the common interest of mankind, of maintaining inviolate the sentiment of submission to law. Other persons, again, hold the directly contrary opinion, that any law, judged to be bad, may blamelessly be disobeyed, even though it be not judged to be unjust, but only inexpedient; while others would confine the license of disobedience to the case of unjust laws: but again, some say, that all laws which are inexpedient are unjust; since every law imposes some restriction on the natural liberty of mankind, which restriction is an injustice, unless legitimated by tending to their good. Among these diversities of opinion, it seems to be universally admitted that there may be unjust laws, and that law, consequently, is not the ultimate criterion of justice, but may give to one person a benefit, or impose on another an evil, which justice condemns. When, however, a law is thought to be unjust, it seems always to be regarded as being so in the same way in which a breach of law is unjust, namely, by infringing somebody's right; which, as it cannot in this case be a legal right, receives a different appellation, and is called a moral right. We may say, therefore, that a second case of injustice consists in taking or withholding from any person that to which he has a *moral right.*

Thirdly, it is universally considered just that each person should obtain that (whether good or evil) which he *deserves*; and unjust that he should obtain a good, or be made to undergo an evil, which he does not deserve. This is, perhaps, the clearest and most emphatic form in which the idea of justice is conceived by the general mind. As it involves the notion of desert, the question arises, what constitutes desert? Speaking in a general way, a person is understood to deserve good if he does right, evil if he does wrong; and in a more particular sense, to deserve good from those to whom he does or has done good, and evil from those to whom he does or has done evil. The precept of returning good for evil has never been regarded as a case of the fulfillment of justice, but as one in which the claims of justice are waived, in obedience to other considerations.

Fourthly, it is confessedly unjust to *break faith* with any one: to violate an engagement, either express or implied, or disappoint expectations raised by our conduct, at least if we have raised those expectations knowingly and voluntarily. Like the other obligations of justice already spoken of, this one is not regarded as absolute, but as capable of being overruled by a stronger obligation of justice on the other side; or by such conduct on the part of the person concerned as is deemed to absolve us from our obligation to him, and to constitute a *forfeiture* of the benefit which he has been led to expect.

Fifthly, it is, by universal admission, inconsistent with justice to be *partial*; to show favor or preference to one person over another, in matters to which favor and preference do not properly apply. Impartiality, however, does not seem to be regarded as a duty in itself, but rather as instrumental to some other duty; for it is admitted that favor and preference are not always censurable, and indeed the cases in which they are condemned are rather the exception than the rule. A person would be more likely to be blamed than applauded for giving his family or friends no superiority in good offices[1] over strangers, when he could do so without violating any other duty; and no one thinks it unjust to seek one person in preference to another as a friend, connection, or companion. Impartiality where rights are concerned is of course obligatory, but this is involved in the more general obligation of giving to every one his right. A tribunal, for example, must be impartial, because it is bound to award, without regard to any other consideration, a disputed object to the one of two parties who has the right to it. There are other cases in which impartiality means, being solely influenced by desert; as with those who, in the capacity of judges, preceptors, or parents, administer reward and punishment as such. There are cases, again, in which it means, being solely influenced by consideration for the public interest; as in making a selection among candidates for a government employment. Impartiality, in short, as an obligation of justice, may be said to mean, being exclusively influenced by the considerations which it is supposed ought to influence the particular case in hand; and resisting the solicitation of any motives which prompt to conduct different from what those considerations would dictate.

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[1] *superiority in good offices* Services, kindnesses, attentions.

Nearly allied to the idea of impartiality is that of *equality*; which often enters as a component part both into the conception of justice and into the practice of it, and, in the eyes of many persons, constitutes its essence. But in this, still more than in any other case, the notion of justice varies in different persons, and always conforms in its variations to their notion of utility. Each person maintains that equality is the dictate of justice, except where he thinks that expediency requires inequality. The justice of giving equal protection to the rights of all, is maintained by those who support the most outrageous inequality in the rights themselves. Even in slave countries it is theoretically admitted that the rights of the slave, such as they are, ought to be as sacred as those of the master; and that a tribunal which fails to enforce them with equal strictness is wanting in justice; while, at the same time, institutions which leave to the slave scarcely any rights to enforce, are not deemed unjust, because they are not deemed inexpedient. Those who think that utility requires distinctions of rank, do not consider it unjust that riches and social privileges should be unequally dispensed; but those who think this inequality inexpedient, think it unjust also. Whoever thinks that government is necessary, sees no injustice in as much inequality as is constituted by giving to the magistrate powers not granted to other people. Even among those who hold leveling[1] doctrines, there are as many questions of justice as there are differences of opinion about expediency. Some Communists consider it unjust that the produce of the labor of the community should be shared on any other principle than that of exact equality; others think it just that those should receive most whose wants are greatest; while others hold that those who work harder, or who produce more, or whose services are more valuable to the community, may justly claim a larger quota in the division of the produce. And the sense of natural justice may be plausibly appealed to on behalf of every one of these opinions.

Among so many diverse applications of the term justice, which yet is not regarded as ambiguous, it is a matter of some difficulty to seize the mental link which holds them together, and on which the moral sentiment adhering to the term essentially depends.

[…]

We do not call anything wrong, unless we mean to imply that a person ought to be punished in some way or other for doing it; if not by law, by the opinion of his fellow-creatures; if not by opinion, by the reproaches of his own conscience. This seems the real turning point of the distinction between morality and simple expediency. It is a part of the notion of Duty in every one of its forms, that a person may rightfully be compelled to fulfill it. Duty is a thing which may be *exacted* from a person, as one exacts a debt. Unless we think that it may be exacted from him, we do not call it his duty. Reasons of prudence, or the interest of other people, may militate against actually exacting it; but the person himself, it is clearly understood, would not be entitled to complain. There are other things, on the contrary, which we wish that people should do, which we like or admire them for doing, perhaps dislike or despise them for not doing, but yet admit that they are not bound to do; it is not a case of moral obligation; we do not blame them, that is, we do not think that they are proper objects of punishment. How we come by these ideas of deserving and not deserving punishment, will appear, perhaps, in the sequel;[2] but I think there is no doubt that this distinction lies at the bottom of the notions of right and wrong; that we call any conduct wrong, or employ, instead, some other term of dislike or disparagement, according as we think that the person ought, or ought not, to be punished for it; and we say, it would be right, to do so and so, or merely that it would be desirable or laudable, according as we would wish to see the person whom it concerns, compelled, or only persuaded and exhorted, to act in that manner.[1]

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[1] *leveling* Equality-producing.

[2] *in the sequel* In what follows (in this work).

This, therefore, being the characteristic difference which marks off, not justice, but morality in general, from the remaining provinces of Expediency and Worthiness; the character is still to be sought which distinguishes justice from other branches of morality. Now it is known that ethical writers divide moral duties into two classes, denoted by the ill-chosen expressions, duties of perfect and of imperfect obligation; the latter being those in which, though the act is obligatory, the particular occasions of performing it are left to our choice, as in the case of charity or beneficence, which we are indeed bound to practice, but not towards any definite person, nor at any prescribed time. In the more precise language of philosophic jurists, duties of perfect obligation are those duties in virtue of which a correlative *right* resides in some person or persons; duties of imperfect obligation are those moral obligations which do not give birth to any right. I think it will be found that this distinction exactly coincides with that which exists between justice and the other obligations of morality. In our survey of the various popular acceptations of justice, the term appeared generally to involve the idea of a personal right—a claim on the part of one or more individuals, like that which the law gives when it confers a proprietary or other legal right. Whether the injustice consists in depriving a person of a possession, or in breaking faith with him, or in treating him worse than he deserves, or worse than other people who have no greater claims, in each case the supposition implies two things—a wrong done, and some assignable person who is wronged. Injustice may also be done by treating a person better than others; but the wrong in this case is to his competitors, who are also assignable persons. It seems to me that this feature in the case—a right in some person, correlative to the moral obligation—constitutes the specific difference between justice, and generosity or beneficence. Justice implies something which it is not only right to do, and wrong not to do, but which some individual person can claim from us as his moral right. No one has a moral right to our generosity or beneficence, because we are not morally bound to practice those virtues towards any given individual. And it will be found with respect to this, as to every correct definition, that the instances which seem to conflict with it are those which most confirm it. For if a moralist attempts, as some have done, to make out that mankind generally, though not any given individual, have a right to all the good we can do them, he at once, by that thesis, includes generosity and beneficence within the category of justice. He is obliged to say, that our utmost exertions are *due* to our fellow creatures, thus assimilating them to a debt; or that nothing less can be a sufficient *return* for what society does for us, thus classing the case as one of gratitude; both of which are acknowledged cases of justice. Wherever there is right, the case is one of justice, and not of the virtue of beneficence: and whoever does not place the distinction between justice and morality in general, where we have now placed it, will be found to make no distinction between them at all, but to merge all morality in justice.

* * *

Having thus endeavored to determine the distinctive elements which enter into the composition of the idea of justice, we are ready to enter on the inquiry, whether the feeling, which accompanies the idea, is attached to it by a special dispensation of nature, or whether it could have grown up, by any known laws, out of the idea itself; and in particular, whether it can have originated in considerations of general expediency.

I conceive that the sentiment itself does not arise from anything which would commonly, or correctly, be termed an idea of expediency; but that though the sentiment does not, whatever is moral in it does.

We have seen that the two essential ingredients in the sentiment of justice are, the desire to punish a person who has done harm, and the knowledge or belief that there is some definite individual or individuals to whom harm has been done.

Now it appears to me, that the desire to punish a person who has done harm to some individual is a spontaneous outgrowth from two sentiments, both in the highest degree natural, and which either are or resemble instincts; the impulse of self-defense, and the feeling of sympathy.

It is natural to resent, and to repel or retaliate, any harm done or attempted against ourselves, or against those with whom we sympathize. The origin of this sentiment it is not necessary here to discuss. Whether it be an instinct or a result of intelligence, it is, we know, common to all animal nature; for every animal tries to hurt those who have hurt, or who it thinks are about to hurt, itself or its young. Human beings, on this point, only differ from other animals in two particulars. First, in being capable of sympathizing, not solely with their offspring, or, like some of the more noble animals, with some superior animal who is kind to them, but with all human, and even with all sentient, beings. Secondly, in having a more developed intelligence, which gives a wider range to the whole of their sentiments, whether self-regarding or sympathetic. By virtue of his superior intelligence, even apart from his superior range of sympathy, a human being is capable of apprehending a community of interest between himself and the human society of which he forms a part, such that any conduct which threatens the security of the society generally, is threatening to his own, and calls forth his instinct (if instinct it be) of self-defense. The same superiority of intelligence joined to the power of sympathizing with human beings generally, enables him to attach himself to the collective idea of his tribe, his country, or mankind, in such a manner that any act hurtful to them, raises his instinct of sympathy, and urges him to resistance.

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[1] *we call any conduct … that manner* [Mill's note] See this point enforced and illustrated by Professor [Alexander] Bain [1818–1903], in an admirable chapter (entitled "the Ethical Emotions, or the Moral Sense"), of the second of the two treatises composing his elaborate and profound work on the Mind [*The Emotions and the Will* (London: Parker, 1859)].

The sentiment of justice, in that one of its elements which consists of the desire to punish, is thus, I conceive, the natural feeling of retaliation or vengeance, rendered by intellect and sympathy applicable to those injuries, that is, to those hurts, which wound us through, or in common with, society at large. This sentiment, in itself, has nothing moral in it; what is moral is, the exclusive subordination of it to the social sympathies, so as to wait on and obey their call. For the natural feeling would make us resent indiscriminately whatever any one does that is disagreeable to us; but when moralized by the social feeling, it only acts in the directions conformable to the general good: just persons resenting a hurt to society, though not otherwise a hurt to themselves, and not resenting a hurt to themselves, however painful, unless it be of the kind which society has a common interest with them in the repression of.

It is no objection against this doctrine to say, that when we feel our sentiment of justice outraged, we are not thinking of society at large, or of any collective interest, but only of the individual case. It is common enough certainly, though the reverse of commendable, to feel resentment merely because we have suffered pain; but a person whose resentment is really a moral feeling, that is, who considers whether an act is blamable before he allows himself to resent it—such a person, though he may not say expressly to himself that he is standing up for the interest of society, certainly does feel that he is asserting a rule which is for the benefit of others as well as for his own. If he is not feeling this—if he is regarding the act solely as it affects him individually—he is not consciously just; he is not concerning himself about the justice of his actions. This is admitted even by anti-utilitarian moralists. When Kant (as before remarked) propounds as the fundamental principle of morals, "So act, that thy rule of conduct might be adopted as a law by all rational beings," he virtually acknowledges that the interest of mankind collectively, or at least of mankind indiscriminately, must be in the mind of the agent when conscientiously deciding on the morality of the act. Otherwise he uses words without a meaning: for, that a rule even of utter selfishness could not possibly be adopted by all rational beings—that there is any insuperable obstacle in the nature of things to its adoption—cannot be even plausibly maintained. To give any meaning to Kant's principle, the sense put upon it must be, that we ought to shape our conduct by a rule which all rational beings might adopt *with benefit to their collective interest.*

To recapitulate: the idea of justice supposes two things; a rule of conduct, and a sentiment which sanctions the rule. The first must be supposed common to all mankind, and intended for their good. The other (the sentiment) is a desire that punishment may be suffered by those who infringe the rule. There is involved, in addition, the conception of some definite person who suffers by the infringement; whose rights (to use the expression appropriated to the case) are violated by it. And the sentiment of justice appears to me to be, the animal desire to repel or retaliate a hurt or damage to oneself, or to those with whom one sympathizes, widened so as to include all persons, by the human capacity of enlarged sympathy, and the human conception of intelligent self-interest. From the latter elements, the feeling derives its morality; from the former, its peculiar impressiveness, and energy of self-assertion.

I have, throughout, treated the idea of a *right* residing in the injured person, and violated by the injury, not as a separate element in the composition of the idea and sentiment, but as one of the forms in which the other two elements clothe themselves. These elements are, a hurt to some assignable person or persons on the one hand, and a demand for punishment on the other. An examination of our own minds, I think, will show, that these two things include all that we mean when we speak of violation of a right. When we call anything a person's right, we mean that he has a valid claim on society to protect him in the possession of it, either by the force of law, or by that of education and opinion. If he has what we consider a sufficient claim, on whatever account, to have something guaranteed to him by society, we say that he has a right to it. If we desire to prove that anything does not belong to him by right, we think this done as soon as it is admitted that society ought not to take measures for securing it to him, but should leave him to chance, or to his own exertions. Thus, a person is said to have a right to what he can earn in fair professional competition; because society ought not to allow any other person to hinder him from endeavoring to earn in that manner as much as he can. But he has not a right to three hundred a-year, though he may happen to be earning it; because society is not called on to provide that he shall earn that sum. On the contrary, if he owns ten thousand pounds three per cent stock, he *has* a right to three hundred a-year; because society has come under an obligation to provide him with an income of that amount.

To have a right, then, is, I conceive, to have something which society ought to defend me in the possession of. If the objector goes on to ask, why it ought? I can give him no other reason than general utility.

[…]

It appears from what has been said, that justice is a name for certain moral requirements, which, regarded collectively, stand higher in the scale of social utility, and are therefore of more paramount obligation, than any others; though particular cases may occur in which some other social duty is so important, as to overrule any one of the general maxims of justice. Thus, to save a life, it may not only be allowable, but a duty, to steal, or take by force, the necessary food or medicine, or to kidnap, and compel to officiate, the only qualified medical practitioner. In such cases, as we do not call anything justice which is not a virtue, we usually say, not that justice must give way to some other moral principle, but that what is just in ordinary cases is, by reason of that other principle, not just in the particular case. By this useful accommodation of language, the character of indefeasibility[1] attributed to justice is kept up, and we are saved from the necessity of maintaining that there can be laudable injustice.

The considerations which have now been adduced resolve, I conceive, the only real difficulty in the utilitarian theory of morals. It has always been evident that all cases of justice are also cases of expediency: the difference is in the peculiar sentiment which attaches to the former, as contradistinguished from the latter. If this characteristic sentiment has been sufficiently accounted for; if there is no necessity to assume for it any peculiarity of origin; if it is simply the natural feeling of resentment, moralized by being made coextensive with the demands of social good; and if this feeling not only does but ought to exist in all the classes of cases to which the idea of justice corresponds; that idea no longer presents itself as a stumbling-block to the utilitarian ethics. Justice remains the appropriate name for certain social utilities which are vastly more important, and therefore more absolute and imperative, than any others are as a class (though not more so than others may be in particular cases); and which, therefore, ought to be, as well as naturally are, guarded by a sentiment not only different in degree, but also in kind; distinguished from the milder feeling which attaches to the mere idea of promoting human pleasure or convenience, at once by the more definite nature of its commands, and by the sterner character of its sanctions.

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from The Subjection of Women (1869)

The object of this Essay is to explain as clearly as I am able grounds of an opinion which I have held from the very earliest period when I had formed any opinions at all on social political matters, and which, instead of being weakened or modified, has been constantly growing stronger by the progress of reflection and the experience of life. That the principle which regulates the existing social relations between the two sexes—the legal subordination of one sex to the other—is wrong itself, and now one of the chief hindrances to human improvement; and that it ought to be replaced by a principle of perfect equality, admitting no power or privilege on the one side, nor disability on the other.

The very words necessary to express the task I have undertaken, show how arduous it is. But it would be a mistake to suppose that the difficulty of the case must lie in the insufficiency or obscurity of the grounds of reason on which my conviction rests. The difficulty is that which exists in all cases in which there is a mass of feeling to be contended against. So long as opinion is strongly rooted in the feelings, it gains rather than loses instability by having a preponderating[1] weight of argument against it. For if it were accepted as a result of argument, the refutation of the argument might shake the solidity of the conviction; but when it rests solely on feeling, the worse it fares in argumentative contest, the more persuaded adherents are that their feeling must have some deeper ground, which the arguments do not reach; and while the feeling remains, it is always throwing up fresh entrenchments of argument to repair any breach made in the old. And there are so many causes tending to make the feelings connected with this subject the most intense and most deeply-rooted of those which gather round and protect old institutions and custom, that we need not wonder to find them as yet less undermined and loosened than any of the rest by the progress of the great modern spiritual and social transition; nor suppose that the barbarisms to which men cling longest must be less barbarisms than those which they earlier shake off.

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[1] *indefeasibility* Inability to be annulled or made inapplicable.

In every respect the burthen[2] is hard on those who attack an almost universal opinion. They must be very fortunate as well as unusually capable if they obtain a hearing at all. They have more difficulty in obtaining a trial, than any other litigants have in getting a verdict. If they do extort a hearing, they are subjected to a set of logical requirements totally different from those exacted from other people. In all other cases, the burthen of proof is supposed to lie with the affirmative. If a person is charged with a murder, it rests with those who accuse him to give proof of his guilt, not with himself to prove his innocence. If there is a difference of opinion about the reality of an alleged historical event, in which the feelings of men in general are not much interested, as the Siege of Troy[3] for example, those who maintain that the event took place are expected to produce their proofs, before those who take the other side can be required to say anything; and at no time are these required to do more than show that the evidence produced by the others is of no value. Again, in practical matters, the burthen of proof is supposed to be with those who are against liberty; who contend for any restriction or prohibition; either any limitation of the general freedom of human action, or any disqualification or disparity of privilege affecting one person or kind of persons, as compared with others. The *a priori* presumption[4] is in favor of freedom and impartiality. It is held that there should be no restraint not required by the general good, and that the law should be no respecter of persons[5] but should treat all alike, save where dissimilarity of treatment is required by positive reasons, either of justice or of policy. But of none of these rules of evidence will the benefit be allowed to those who maintain the opinion I profess. It is useless for me to say that those who maintain the doctrine that men have a right to command and women are under an obligation to obey, or that men are fit for government and women unfit, are on the affirmative side of the question, and that they are bound to show positive evidence for the assertions, or submit to their rejection. It is equally unavailing for me to say that those who deny to women any freedom or privilege rightly allowed to men, having the double presumption against them that they are opposing freedom and recommending partiality, must be held to the strictest proof of their case, and unless their success be such as to exclude all doubt, the judgment ought to go against them. These would be thought good pleas in any common case; but they will not be thought so in this instance. Before I could hope to make any impression, I should be expected not only to answer all that has ever been said by those who take the other side of the question, but to imagine that could be said by them—to find them in reasons, as well as answer all I find: and besides refuting all arguments for the affirmative, I shall be called upon for invincible positive arguments to prove a negative. And even if I could do all this and leave the opposite party with a host of unanswered arguments against them, and not a single unrefuted one on their side, I should be thought to have done little; for a cause supported on the one hand by universal usage, and on the other by so great a preponderance of popular sentiment, is supposed to have a presumption in its favor, superior to any conviction which an appeal to reason has power to produce in any intellects but those of a high class.

I do not mention these difficulties to complain of them; first, because it would be useless; they are inseparable from having to contend through people's understandings against the hostility of their feelings and practical tendencies: and truly the understandings of the majority of mankind would need to be much better cultivated than has ever yet been the case, before they can be asked to place such reliance in their own power of estimating arguments, as to give up practical principles in which they have been born and bred, and which are the basis of much of existing order of the world, at the first argumentative attack which they are not capable of logically resisting. I do not therefore quarrel with them for having too little faith in argument, but for having too much faith in custom and the general feeling. It is one of the characteristic prejudices of the reaction of the nineteenth century against the eighteenth, to accord to the unreasoning elements in human nature the infallibility which the eighteenth century is supposed to have ascribed to the reasoning elements. For the apotheosis[1] of Reason we have substituted that of Instinct; and we call everything instinct which we find in ourselves and for which we cannot trace any rational foundation. This idolatry, infinitely more degrading than the other, and the most pernicious of the false worships of the present day, of all of which it is now the main support, will probably hold its ground until it gives way before a sound psychology laying bare the real root of much that is bowed down to as the intention of Nature and ordinance of God. As regards the present question, I am willing to accept the unfavorable conditions which the prejudice assigns to me. I consent that established custom, and the general feeling, should be deemed conclusive against me, unless that custom and feeling from age to age can be shown to have owed their existence to other causes than their soundness, and to have derived their power from the worse rather than the better parts of human nature. I am willing that judgment should go against me, unless I can show that my judge has been tampered with. The concession is not so great as it might appear; for to prove this, is by far the easiest portion of my task.

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[1] *preponderating* Outweighing.

[2] *burthen* Burden.

[3] *Siege of Troy* Homer's *Iliad* tells the story of the last year of a ten-year siege of the city of Troy by the Achaeans during the Trojan War. The Greeks supposed this to be a historical event, but many later historians doubted it.

[4] *a priori presumption* *a priori* is literally translated from the Latin as *from before-hand.* Mill refers to what is assumed before serious investigation begins.

[5] *should be no respecter of persons* Should show no special concern for one person over another.

The generality of a practice is in some cases a strong presumption that it is, or at all events once was, conducive to laudable ends. This is the case, when the practice was first adopted, or afterwards kept up, as a means to such ends, and was grounded on experience of the mode in which they could be most effectually attained. If the authority of men over women, when first established, had been the result of a conscientious comparison between different modes of constituting the government of society; if, after trying various other modes of social organization—the government of women over men, equality between the two, and such mixed and divided modes of government as might be invented—it had been decided, on the testimony of experience, that the mode in which women are wholly under the rule of men, having no share at all in public concerns, and each in private being under the legal obligation of obedience to the man with whom she has associated her destiny, was the arrangement most conducive to the happiness and well-being of both; its general adoption might then be fairly thought to be some evidence that, at the time when it was adopted, it was the best: though even then the considerations which recommended it may, like so many other primeval social facts of the greatest importance, have subsequently, in the course of ages, ceased to exist. But the state of the case is in every respect the reverse of this. In the first place, the opinion in favor of the present system, which entirely subordinates the weaker sex to the stronger, rests upon theory only; for there never has been trial made of any other: so that experience, in the sense in which it is vulgarly opposed to theory, cannot be pretended to have pronounced any verdict. And in the second place, the adoption of this system of inequality never was the result of deliberation, or forethought, or any social ideas, or any notion whatever of what conduced to the benefit of humanity or the good order of society. It arose simply from the fact that from the very earliest twilight of human society, every woman (owing to the value attached to her by men, combined with her inferiority in muscular strength) was found in a state of bondage to some man. Laws and systems of polity always begin by recognizing the relations they find already existing between individuals. They convert what was a mere physical fact into a legal right, give it the sanction of society, and principally aim at the substitution of public and organized means of asserting and protecting these rights, instead of the irregular and lawless conflict of physical strength. Those who had already been compelled to obedience became in this manner legally bound to it. Slavery, from being a mere affair of force between the master and the slave, became regularized and a matter of compact[2] among the masters, who, binding themselves to one another for common protection, guaranteed by their collective strength the private possessions of each, including his slaves. In early times, the great majority of the male sex were slaves, as well as the whole of the female. And many ages elapsed, some of them ages of high cultivation, before any thinker was bold enough to question the rightfulness, and the absolute social necessity, either of the one slavery or of the other. By degrees such thinkers did arise; and (the general progress of society assisting) the slavery of the male sex has, in all the countries of Christian Europe at least (though, in one of them, only within the last few years[1]) been at length abolished, and that of the female sex has been gradually changed into a milder form of dependence. But this dependence, as it exists at present, is not an original institution, taking a fresh start from considerations of justice and social expediency—it is the primitive state of slavery lasting on, through successive mitigations and modifications occasioned by the same causes which have softened the general manners, and brought all human relations more under the control of justice and the influence of humanity. It has not lost the taint of its brutal origin. No presumption in its favor, therefore, can be drawn from the fact of its existence. The only such presumption which it could be supposed to have, must be grounded on its having lasted till now, when so many other things which came down from the same odious source have been done away with. And this, indeed, is what makes it strange to ordinary ears, to hear it asserted that the inequality of rights between men and women has no other source than the law of the strongest.

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[1] *apotheosis* Transformation into a god.

[2] *compact* Agreement.

That this statement should have the effect of a paradox, is in some respects creditable to the progress of civilization, and the improvement of the moral sentiments of mankind. We now live—that is to say, one or two of the most advanced nations of the world now live—in a state in which the law of the strongest seems to be entirely abandoned as the regulating principle of the world's affairs: nobody professes it, and, as regards most of the relations between human beings, nobody is permitted to practice it. When anyone succeeds in doing so, it is under cover of some pretext which gives him the semblance of having some general social interest on his side. This being the ostensible state of things, people flatter themselves that the rule of mere force is ended; that the law of the strongest cannot be the reason of existence of anything which has remained in full operation down to the present time. However any of our present institutions may have begun, it can only, they think, have been preserved to this period of advanced civilization by a well-grounded feeling of its adaptation to human nature, and conduciveness to the general good. They do not understand the great vitality and durability of institutions which place right on the side of might; how intensely they are clung to; how the good as well as the bad propensities and sentiments of those who have power in their hands, become identified with retaining it; how slowly these bad institutions give way, one at a time, the weakest first. Beginning with those which are least interwoven with the daily habits of life; and how very rarely those who have obtained legal power because they first had physical, have ever lost their hold of it until the physical power had passed over to the other side. Such shifting of the physical force not having taken place in the case of women; this fact, combined with all the peculiar and characteristic features of the particular case, made it certain from the first that this branch of the system of right founded on might, though softened in its most atrocious features at an earlier period than several of the others, would be the very last to disappear. It was inevitable that this one case of a social relation grounded on force, would survive through generations of institutions grounded on equal justice, an almost solitary exception to the general character of their laws and customs; but which, so long as it does not proclaim its own origin, and as discussion has not brought out its true character, is not felt to jar with modern civilization, any more than domestic slavery among the Greeks jarred with their notion of themselves as a free people.

The truth is, that people of the present and the last two or three generations have lost all practical sense of the primitive condition of humanity; and only the few who have studied history accurately, or have much frequented the parts of the world occupied by the living representatives of ages long past, are able to form any mental picture of what society then was. People are not aware how entirely, in former ages, the law of superior strength was the rule of life; how publicly and openly it was avowed, I do not say cynically or shamelessly—for these words imply a feeling that there was something in it to be ashamed of, and no such notion could find a place in the faculties of any person in those ages, except a philosopher or a saint. History gives a cruel experience of human nature, in showing how exactly the regard due to the life, possessions, and entire earthly happiness of any class of persons, was measured by what they had the power of enforcing; how all who made any resistance to authorities that had arms in their hands, however dreadful might be the provocation, had not only the law of force but all other laws, and all the notions of social obligation against them; and in the eyes of those whom they resisted, were not only guilty of crime, but of the worst of all crimes, deserving the most cruel chastisement which human beings could inflict. The first small vestige of a feeling of obligation in a superior to acknowledge any right in inferiors, began when he had been induced, for convenience, to make some promise to them. Though these promises, even when sanctioned by the most solemn oaths, were for many ages revoked or violated on the most trifling provocation or temptation, it is probably that this, except by persons of still worse than the average morality, was seldom done without some twinges of conscience. The ancient republics, being mostly grounded from the first upon some kind of mutual compact, or at any rate formed by an union of persons not very unequal in strength, afforded, in consequence, the first instance of a portion of human relations fenced round, and placed under the dominion of another law than that of force. And though the original law of force remained in full operation between them and their slaves, and also (except so far as limited by express compact) between a commonwealth and its subjects, or other independent commonwealths; the banishment of that primitive law even from so narrow a field, commenced the regeneration of human nature, by giving birth to sentiments of which experience soon demonstrated the immense value even for material interests, and which thence forward only required to be enlarged, not created. Though slaves were no part of the commonwealth, it was in the free states that slaves were first felt to have rights as human beings. The Stoics[1] were, I believe, the first (except so far as the Jewish law constitutes an exception) who taught as a part of morality that men were bound by moral obligations to their slaves. No one, after Christianity became ascendant, could ever again have been a stranger to this belief, in theory; nor, after the rise of the Catholic Church, was it ever without persons to stand up for it. Yet to enforce it was the most arduous task which Christianity ever had to perform. For more than a thousand years the Church kept up the contest, with hardly any perceptible success. It was not for want of power over men's minds. Its power was prodigious. It could make kings and nobles resign their most valued possessions to enrich the Church. It could make thousands in the prime of life and the height of worldly advantages, shut themselves up in convents to work out their salvation by poverty, fasting, and prayer. It could send hundreds of thousands across land and sea, Europe and Asia, to give their lives for the deliverance of the Holy Sepulcher.[2] It could make kings relinquish wives who were the object of their passionate attachment, because the Church declared that they were within the seventh (by our calculation the fourteenth) degree of relationship.[3] All this it did; but it could not make men fight less with one another, nor tyrannize less cruelly over the serfs, and when they were able, over burgesses.[4] It could not make them renounce either of the applications of force; force militant, or force triumphant. This they could never be induced to do until they were themselves in their turn compelled by superior force. Only by the growing power of kings was an end put to fighting except between kings, or competitors for kingship; only by the growth of a wealthy and warlike bourgeoisie[5] in the fortified towns, and of a plebeian[6] infantry which proved more powerful in the field than the undisciplined chivalry,[7] was the insolent tyranny of the nobles over the bourgeoisie and peasantry brought within some bounds. It was persisted in not only until, but long after, the oppressed had obtained a power enabling them often to take conspicuous vengeance; and on the Continent much of it continued to the time of the French Revolution, though in England the earlier and better organization of the democratic classes put an end to it sooner, by establishing equal laws and free national institutions.

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[1] *last few years* Mill may be referring to the Netherlands, which abolished slavery at home and in its colonies in 1863. Mill wrote this six years later. (Slavery was abolished throughout the British Empire in 1833.)

If people are mostly so little aware how completely, during the greater part of the duration of our species, the law of force was the avowed rule of general conduct, any other being only a special and exceptional consequence of peculiar ties—and from how very recent a date it is that the affairs of society in general have been even pretended to be regulated according to any moral law; as little do people remember or consider, how institutions and customs which never had any ground but the law of force, last on into ages and states of general opinion which never would have permitted their first establishment. Less than forty years ago, Englishmen might still by law hold human beings in bondage as saleable property: within the present century they might kidnap them and carry them off, and work them literally to death. This absolutely extreme case of the law of force, condemned by those who can tolerate almost every other form of arbitrary power, and which, of all others presents features the most revolting to the feelings of all who look at it from an impartial position, was the law of civilized and Christian England within the memory of persons now living: and in one half of Anglo-Saxon America three or four years ago, not only did slavery exist, but the slave-trade, and the breeding of slaves expressly for it, was a general practice between slave states. Yet not only was there a greater strength of sentiment against it, but, in England at least, a less amount either of feeling or of interest in favor of it, than of any other of the customary abuses of force: for its motive was the love of gain, unmixed and undisguised; and those who profited by it were a very small numerical fraction of the country, while the natural feeling of all who were not personally interested in it, was unmitigated abhorrence. So extreme an instance makes it almost superfluous to refer to any other: but consider the long duration of absolute monarchy. In England at present it is the almost universal conviction that military despotism is a case of the law of force, having no other origin or justification. Yet in all the great nations of Europe except England it either still exists, or has only just ceased to exist, and has even now a strong party favorable to it in all ranks of the people, especially among persons of station and consequence. Such is the power of an established system, even when far from universal; when not only in almost every period of history there have been great and well-known examples of the contrary system, but these have almost invariably been afforded by the most illustrious and most prosperous communities. In this case, too, the possessor of the undue power, the person directly interested in it, is only one person, while those who are subject to it and suffer from it are literally all the rest. The yoke is naturally and necessarily humiliating to all persons, except the one who is on the throne, together with, at most, the one who expects to succeed to it. How different are these cases from that of the power of men over women! I am not now prejudging the question of its justifiableness. I am showing how vastly more permanent it could not but be, even if not justifiable, than these other dominations which have nevertheless lasted down to our own time. Whatever gratification of pride there is in the possession of power, and whatever personal interest in its exercise, is in this case not confined to a limited class, but common to the whole male sex. Instead of being, to most of its supporters, a thing desirable chiefly in the abstract, or, like the political ends usually contended for by factions, of little private importance to any but the leaders; it comes home to the person and hearth of every male head of a family, and of everyone who looks forward to being so. The clodhopper[1] exercises, or is to exercise, his share of the power equally with the highest nobleman. And the case is that in which the desire of power is the strongest: for everyone who desires power, desires it most over those who are nearest to him, with whom his life is passed, with whom he has most concerns in common and in whom any independence of his authority is oftenest likely to interfere with his individual preferences. If, in the other cases specified, powers manifestly grounded only on force, and having so much less to support them, are so slowly and with so much difficulty got rid of, much more must it be so with this, even if it rests on no better foundation than those. We must consider, too, that the possessors of the power have facilities in this case, greater than in any other, to prevent any uprising against it. Every one of the subjects lives under the very eye, and almost, it may be said, in the hands, of one of the masters in closer intimacy with him than with any of her fellow-subjects; with no means of combining against him, no power of even locally over-mastering him, and, on the other hand, with the strongest motives for seeking his favor and avoiding to give him offence. In struggles for political emancipation, everybody knows how often its champions are bought off by bribes, or daunted by terrors. In the case of women, each individual of the subject-class is in a chronic state of bribery and intimidation combined. In setting up the standard of resistance, a large number of the leaders, and still more of the followers, must make an almost complete sacrifice of the pleasures or the alleviations of their own individual lot. If ever any system of privilege and enforced subjection had its yoke tightly riveted on the necks of those who are kept down by it, this has. I have not yet shown that it is a wrong system: but everyone who is capable of thinking on the subject must see that even if it is, it was certain to outlast all other forms of unjust authority. And when some of the grossest of the other forms still exist in many civilized countries, and have only recently been got rid of in others, it would be strange if that which is so much the deepest rooted had yet been perceptibly shaken anywhere. There is more reason to wonder that the protests and testimonies against it should have been so numerous and so weighty as they are.

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[1] *Stoics* Ancient Greek and Roman school of philosophy, founded by Zeno.

[2] *Sepulcher* Burial vault. Taking back possession of Christ's sepulcher, supposedly in Jerusalem, was one of the objectives of the Crusades.

[3] *degree of relationship* A measure of how closely two people were related.

[4] *burgesses* Citizens of an English borough.

[5] *bourgeoisie* Middle class.

[6] *plebeian* Lower class.

[7] *chivalry* Medieval knights.

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[1] *clodhopper* Unsophisticated, coarse person.

Some will object, that a comparison cannot fairly be made between the government of the male sex and the forms of unjust power which I have adduced in illustration of it, since these are arbitrary, and the effect of mere usurpation, while it on the contrary is natural. But was there ever any domination which did not appear natural to those who possessed it? There was a time when the division of mankind into two classes, a small one of masters and a numerous one of slaves, appeared, even to the most cultivated minds, to be natural, and the only natural, condition of the human race. No less an intellect, and one which contributed no less to the progress of human thought, than Aristotle, held this opinion without doubt or misgiving; and rested it on the same premises on which the same assertion in regard to the dominion of men over women is usually based, namely that there are different natures among mankind, free natures, and slave natures; that the Greeks were of a free nature, the barbarian races of Thracians and Asiatics of a slave nature. But why need I go back to Aristotle? Did not the slave-owners of the Southern United States maintain the same doctrine, with all the fanaticism with which men cling to the theories that justify their passions and legitimate their personal interests? Did they not call heaven and earth to witness that the dominion of the white man over the black is natural, that the black race is by nature incapable of freedom, and marked out for slavery? some even going so far as to say that the freedom of manual laborers is an unnatural order of things anywhere. Again, the theorists of absolute monarchy have always affirmed it to be the only natural form of government; issuing from the patriarchal, which was the primitive and spontaneous form of society, framed on the model of the paternal, which is anterior to society itself, and, as they contend, the most natural authority of all. Nay, for that matter, the law of force itself, to those who could not plead any other has always seemed the most natural of all grounds for the exercise of authority. Conquering races hold it to be Nature's own dictate that the conquered should obey the conquerors, or as they euphoniously paraphrase it, that the feebler and more unwarlike races should submit to the braver and manlier. The smallest acquaintance with human life in the middle ages, shows how supremely natural the dominion of the feudal nobility over men of low condition appeared to the nobility themselves, and how unnatural the conception seemed, of a person of the inferior class claiming equality with them, or exercising authority over them. It hardly seemed less so to the class held in subjection. The emancipated serfs and burgesses, even in their most vigorous struggles, never made any pretension to a share of authority; they only demanded more or less of limitation to the power of tyrannizing over them. So true is it that unnatural generally means only uncustomary, and that everything which is usual appears natural. The subjection of women to men being a universal custom, any departure from it quite naturally appears unnatural. But how entirely, even in this case, the feeling is dependent on custom, appears by ample experience. Nothing so much astonishes the people of distant parts of the world, when they first learn anything about England, as to be told that it is under a queen; the thing seems to them so unnatural as to be almost incredible. To Englishmen this does not seem in the least degree unnatural, because they are used to it; but they do feel it unnatural that women should be soldiers or Members of Parliament. In the feudal ages, on the contrary, war and politics were not thought unnatural to women, because not unusual; it seemed natural that women of the privileged classes should be of manly character, inferior in nothing but bodily strength to their husbands and fathers. The independence of women seemed rather less unnatural to the Greeks than to other ancients, on account of the fabulous Amazons[1] (whom they believed to be historical), and the partial example afforded by the Spartan women; who, though no less subordinate by law than in other Greek states, were more free in fact, and being trained to bodily exercises in the same manner with men, gave ample proof that they were not naturally disqualified for them. There can be little doubt that Spartan experience suggested to Plato, among many other of his doctrines, that of the social and political equality of the two sexes.

But, it will be said, the rule of men over women differs from all these others in not being a rule of force: it is accepted voluntarily; women make no complaint, and are consenting parties to it. In the first place, a great number of women do not accept it. Ever since there have been women able to make their sentiments known by their writings (the only mode of publicity[2] which society permits to them), an increasing number of them have recorded protests against their present social condition: and recently many thousands of them, headed by the most eminent women known to the public, have petitioned Parliament for their admission to the Parliamentary Suffrage.[1] The claim of women to be educated as solidly, and in the same branches of knowledge, as men, is urged with growing intensity, and with a great prospect of success; while the demand for their admission into professions and occupations hitherto closed against them, becomes every year more urgent. Though there are not in this country, as there are in the United States, periodical conventions and an organized party to agitate for the Rights of Women, there is a numerous and active society organized and managed by women, for the more limited object of obtaining the political franchise. Nor is it only in our own country and in America that women are beginning to protest, more or less collectively, against the disabilities under which they labor. France, and Italy, and Switzerland, and Russia now afford examples of the same thing. How many more women there are who silently cherish similar aspirations, no one can possibly know; but there are abundant tokens how many would cherish them, were they not so strenuously taught to repress them as contrary to the proprieties of their sex. It must be remembered, also, that no enslaved class ever asked for complete liberty at once. When Simon de Montfort[2] called the deputies of the commons to sit for the first time in Parliament, did any of them dream of demanding that an assembly, elected by their constituents, should make and destroy ministries, and dictate to the king in affairs of State? No such thought entered into the imagination of the most ambitious of them. The nobility had already these pretensions;[3] the commons[4] pretended to nothing but to be exempt from arbitrary taxation, and from the gross individual oppression of the king's officers. It is a political law of nature that those who are under any power of ancient origin, never begin by complaining of the power itself, but only of its oppressive exercise. There is never any want of women who complain of ill-usage by their husbands. There would be infinitely more, if complaint were not the greatest of all provocatives[5] to a repetition and increase of the ill-usage. It is this which frustrates all attempts to maintain the power but protect the woman against its abuses. In no other case (except that of a child) is the person who has been proved judicially to have suffered an injury, replaced under the physical power of the culprit who inflicted it. Accordingly wives, even in the most extreme and protracted cases of bodily ill-usage, hardly ever dare avail themselves of the laws made for their protection: and if, in a moment of irrepressible indignation, or by the interference of neighbors, they are induced to do so, their whole effort afterwards is to disclose as little as they can, and to beg off their tyrant from his merited chastisement.

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[1] *Amazons* In Greek mythology, a nation of female warriors.

[2] *publicity* Public communication of their views.

All causes, social and natural, combine to make it unlikely that women should be collectively rebellious to the power of men. They are so far in a position different from all other subject classes, that their masters require something more from them than actual service. Men do not want solely the obedience of women, they want their sentiments. All men, except the most brutish, desire to have, in the woman most nearly connected with them, not a forced slave but a willing one, not a slave merely, but a favorite. They have therefore put everything in practice to enslave their minds. The masters of all other slaves rely, for maintaining obedience, on fear; either fear of themselves, or religious fears. The masters of women wanted more than simple obedience, and they turned the whole force of education to effect their purpose. All women are brought up from the very earliest years in the belief that their ideal of character is the very opposite to that of men; not self-will, and government by self-control, but submission, and yielding to the control of other. All the moralities tell them that it is the duty of women, and all the current sentimentalities that it is their nature, to live for others; to make complete abnegation of themselves, and to have no life but in their affections. And by their affections are meant the only ones they are allowed to have—those to the men with whom they are connected, or to the children who constitute an additional and indefeasible[6] tie between them and a man. When we put together three things—first, the natural attraction between opposite sexes; secondly, the wife's entire dependence on the husband, every privilege or pleasure she has being either his gift, or depending entirely on his will; and lastly, that the principal object of human pursuit, consideration, and all objects of social ambition, can in general be sought or obtained by her only through him, it would be a miracle if the object of being attractive to men had not become the polar star[1] of feminine education and formation of character. And, this great means of influence over the minds of women having been acquired, an instinct of selfishness made men avail themselves of it to the utmost as a means of holding women in subjection, by representing to them meekness, submissiveness, and resignation of all individual will into the hands of a man, as an essential part of sexual attractiveness. Can it be doubted that any of the other yokes which mankind have succeeded in breaking, would have subsisted till now if the same means had existed, and had been so sedulously[2] used, to bow down their minds to it? If it had been made the object of the life of every young plebeian to find personal favor in the eyes of some patrician, of every young serf with some seigneur;[3] if domestication with him, and a share of his personal affections, had been held out as the prize which they all should look out for, the most gifted and aspiring being able to reckon on the most desirable prizes; and if, when this prize had been obtained, they had been shut out by a wall of brass from all interests not centering in him, all feelings and desires but those which he shared or inculcated; would not serfs and seigneurs, plebeians and patricians, have been as broadly distinguished at this day as men and women are? and would not all but a thinker here and there, have believed the distinction to be a fundamental and unalterable fact in human nature?

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[1] *for their admission to the Parliamentary Suffrage* For the right to vote for members of Parliament. Mill was an early, strong (and unsuccessful) advocate of extending voting rights to women. Women achieved some voting rights in Britain in 1918, but did not achieve full voting equality until 1928.

[2] *Simon de Montfort* Montfort (1208–65) led the barons' opposition to King Henry III of England; after the rebellion of 1263–64, Montfort organized the first directly elected parliament since those of ancient Athens.

[3] *these pretensions* Claims to this.

[4] *commons* Common people.

[5] *provocatives* Things that provoke.

[6] *indefeasible* Impossible to annul.

The preceding considerations are amply sufficient to show that custom, however universal it may be, affords in this case no presumption, and ought not to create any prejudice, in favor of the arrangements which place women in social and political subjection to men. But I may go farther, and maintain that the course of history, and the tendencies of progressive human society, afford not only no presumption in favor of this system of inequality of rights, but a strong one against it; and that, so far as the whole course of human improvement up to the time, the whole stream of modern tendencies, warrants any inference on the subject, it is, that this relic of the past is discordant with the future, and must necessarily disappear.

For, what is the peculiar character of the modern world—the difference which chiefly distinguishes modern institutions, modern social ideas, modern life itself, from those of times long past? It is, that human beings are no longer born to their place in life, and chained down by an inexorable bond to the place they are born to, but are free to employ their faculties, and such favorable chances as offer, to achieve the lot which may appear to them most desirable. Human society of old was constituted on a very different principle. All were born to a fixed social position, and were mostly kept in it by law, or interdicted[4] from any means by which they could emerge from it. As some men are born white and others black, so some were born slaves and others freemen and citizens; some were born patricians, others plebeians; some were born feudal nobles, others commoners and *roturiers.*[5] A slave or serf could never make himself free, nor, except by the will of his master, become so. In most European countries it was not till towards the close of the middle ages, and as a consequence of the growth of regal power, that commoners could be ennobled. Even among nobles, the eldest son was born the exclusive heir to the paternal possessions, and a long time elapsed before it was fully established that the father could disinherit him. Among the industrious classes, only those who were born members of a guild,[6] or were admitted into it by its members, could lawfully practice their calling within its local limits; and nobody could practice any calling deemed important, in any but the legal manner—by processes authoritatively prescribed. Manufacturers have stood in the pillory[7] for presuming to carry on their business by new and improved methods. In modern Europe, and most in those parts of it which have participated most largely in all other modern improvements, diametrically opposite doctrines now prevail. Law and government do not undertake to prescribe by whom any social or industrial operation shall or shall not be conducted, or what modes of conducting them shall be lawful. These things are left to the unfettered choice of individuals. Even the laws which required that workmen should serve an apprenticeship, have in this country been repealed: there being ample assurance that in all cases in which an apprenticeship is necessary, its necessity will suffice to enforce it. The old theory was, that the least possible should be left to the choice of the individual agent; that all he had to do should, as far as practicable, be laid down for him by superior wisdom. Left to himself he was sure to go wrong. The modern conviction, the fruit of a thousand years of experience, is, that things in which the individual is the person directly interested, never go right but as they are left to his own discretion; and that any regulation of them by authority, except to protect the rights of others, is sure to be mischievous. This conclusion slowly arrived at, and not adopted until almost every possible application of the contrary theory had been made with disastrous result, now (in the industrial department) prevails universally in the most advanced countries, almost universally in all that have pretensions to any sort of advancement. It is not that all processes are supposed to be equally good, or all persons to be equally qualified for everything; but that freedom of individual choice is now known to be the only thing which procures the adoption of the best processes, and throws each operation into the hands of those who are best qualified for it. Nobody thinks it necessary to make a law that only a strong-armed man shall be a blacksmith. Freedom and competition suffice to make blacksmiths strong-armed men, because the weak armed can earn more by engaging in occupations for which they are more fit. In consonance with this doctrine, it is felt to be an overstepping of the proper bounds of authority to fix beforehand, on some general presumption, that certain persons are not fit to do certain things. It is now thoroughly known and admitted that if some such presumptions exist, no such presumption is infallible. Even if it be well grounded in a majority of cases, which it is very likely not to be, there will be a minority of exceptional cases in which it does not hold: and in those it is both an injustice to the individuals, and a detriment to society, to place barriers in the way of their using their faculties for their own benefit and for that of others. In the cases, on the other hand, in which the unfitness is real, the ordinary motives of human conduct will on the whole suffice to prevent the incompetent person from making, or from persisting in, the attempt.

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[1] *polar star* Guiding principle.

[2] *sedulously* Painstakingly, zealously, persistently.

[3] *seigneur* Medieval lord.

[4] *interdicted* Prohibited by authority.

[5] *roturiers* French: commoners.

[6] *guild* Medieval association for regulation and protection of a town's craftsmen. Each guild held a monopoly on that craft.

[7] *pillory* Device for public punishment: one's head and arms were locked in a wooden frame.

If this general principle of social and economical science is not true; if individuals, with such help as they can derive from the opinion of those who know them, are not better judges than the law and the government, of their own capacities and vocation; the world cannot too soon abandon this principle, and return to the old system of regulations and disabilities. But if the principle is true, we ought to act as if we believed it, and not to ordain that to be born a girl instead of a boy, any more than to be born black instead of white, or a commoner instead of a nobleman, shall decide the person's position through all life—shall interdict people from all the more elevated social positions, and from all, except a few, respectable occupations. Even were we to admit the utmost that is ever pretended to the superior fitness of men for all the functions now reserve to them, the same argument applies which forbids a legal qualification for Members of Parliament. If only once in a dozen years the conditions of eligibility exclude a fit person, there is a real loss, while the exclusion of thousands of unfit persons is no gain; for if the constitution of the electoral body disposes them to choose unfit persons, there are always plenty of such persons to choose from. In all things of any difficulty and importance, those who can do them well are fewer than the need, even with the most unrestricted latitude of choice: and any limitation of the field of selection deprives society of some chances of being served by the competent, without ever saving it from the incompetent.

At present, in the more improved countries, the disabilities of women are the only case, save one, in which laws and institutions take persons at their birth, and ordain that they shall never in all their lives be allowed to compete for certain things. The one exception is that of royalty. Persons still are born to the throne; no one, not of the reigning family, can ever occupy it, and no one even of that family can, by any means but the course of hereditary succession, attain it. All other dignities and social advantages are open to the whole male sex: many indeed are only attainable by wealth, but wealth may be striven for by anyone, and is actually obtained by many men of the very humblest origin. The difficulties, to the majority, are indeed insuperable without the aid of fortunate accidents; but no male human being is under any legal ban: neither law nor opinion superadd[1] artificial obstacles to the natural ones. Royalty, as I have said, is excepted: but in this case everyone feels it to be an exception—an anomaly in the modern world, in marked opposition to its customs and principles, and to be justified only by extraordinary special expediencies, which, though individuals and nations differ in estimating their weight, unquestionably do in fact exist. But in this exceptional case, in which a high social function is, for important reasons, bestowed on birth instead of being put up to competition, all free nations contrive to adhere in substance to the principle from which they nominally derogate;[2] for they circumscribe this high function by conditions avowedly intended to prevent the person to whom it ostensibly belongs from really performing it; while the person by whom it is performed, the responsible minister, does obtain the post by a competition from which no full-grown citizen of the male sex is legally excluded. The disabilities, therefore, to which women are subject from the mere fact of their birth, are the solitary examples of the kind in modern legislation. In no instance except this, which comprehends[1] half the human race, are the higher social functions closed against anyone by a fatality[2] of birth which no exertions, and no change of circumstances, can overcome; for even religious disabilities (besides that in England and in Europe they have practically almost ceased to exist) do not close any career to the disqualified person in case of conversion.

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[1] *superadd* Add on top of.

[2] *to adhere in substance to the principle from which they nominally derogate* To obey in fact the principle which they deviate from in words only.

The social subordination of women thus stands out an isolated fact in modern social institutions; a solitary breach of what has become their fundamental law; a single relic of an old world of thought and practice exploded in everything else, but retained in the one thing of most universal interest; as if a gigantic dolmen,[3] or a vast temple of Jupiter Olympus, occupied the site of St. Paul's[4] and received daily worship, while the surrounding Christian churches were only resorted to on fasts and festivals. This entire discrepancy between one social fact and all those which accompany it, and the radical opposition between its nature and the progressive movement which is the boast of the modern world, and which has successively swept away everything else of an analogous character, surely affords, to a conscientious observer of human tendencies, serious matter for reflection. It raises a *prima facie*[5] presumption on the unfavorable side, far outweighing any which custom and usage could in such circumstances create on the favorable; and should at least suffice to make this, like the choice between republicanism[6] and royalty, a balanced question.

The least that can be demanded is, that the question should not be considered as prejudged by existing fact and existing opinion, but open to discussion on its merits, as a question of justice and expediency: the decision on this, as on any of the other social arrangements of mankind, depending on what an enlightened estimate of tendencies and consequences may show to be most advantageous to humanity in general, without distinction of sex. And the discussion must be a real discussion, descending to foundations, and not resting satisfied with vague and general assertions. It will not do, for instance to assert in general terms, that the experience of mankind has pronounced in favor of the existing system. Experience cannot possibly have decided between two courses, so long as there has only been experience of one. If it be said that the doctrine of the equality of the sexes rests only on theory, it must be remembered that the contrary doctrine also has only theory to rest upon. All that is proved in its favor by direct experience, is that mankind have been able to exist under it, and to attain the degree of improvement and prosperity which we now see; but whether that prosperity has been attained sooner, or is now greater, than it would have been under the other system, experience does not say; on the other hand, experience does say, that every step in improvement has been so invariably accompanied by a step made in raising the social position of women, that historians and philosophers have been led to adopt their elevation or debasement as on the whole the surest test and most correct measure of the civilization of a people or an age. Through all the progressive period of human history, the condition of women has been approaching nearer to equality with men. This does not of itself prove that the assimilation must go on to complete equality; but it assuredly affords some presumption that such is the case.

Neither does it avail anything to say that the nature of the two sexes adapts them to their present functions and position, and renders these appropriate to them. Standing on the ground of common sense and the constitution of the human mind, I deny that anyone knows, or can know, the nature of the two sexes, as long as they have only been seen in their present relation to one another. If men had ever been found in society without women, or women without men, or if there had been a society of men and women in which the women were not under the control of the men, something might have been positively known about the mental and moral differences which may be inherent in the nature of each. What is now called the nature of women is an eminently artificial thing—the result of forced repression in some directions, unnatural stimulation in others. It may be asserted without scruple, that no other class of dependents have had their character so entirely distorted from its natural proportions by their relation with their masters; for, if conquered and slave races have been, in some respects, more forcibly repressed, whatever in them has not been crushed down by an iron heel has generally been let alone, and if left with any liberty of development, it has developed itself according to its own laws; but in the case of women, a hot-house and stove cultivation[1] has always been carried on of some of the capabilities of their nature, for the benefit and pleasure of their masters. Then, because certain products of the general vital force sprout luxuriantly and reach a great development in this heated atmosphere and under this active nurture and watering, while other shoots from the same root, which are left outside in the wintry air, with ice purposely heaped all round them, have a stunted growth, and some are burnt off with fire and disappear; men, with that inability to recognize their own work which distinguishes the unanalytic mind, indolently believe that the tree grows of itself in the way they have made it grow, and that it would die if one half of it were not kept in a vapor bath and the other half in the snow.

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[1] *comprehends* Includes.

[2] *fatality* Predetermination by fate.

[3] *dolmen* Prehistoric primitive stone structure, of a type found around the English countryside, thought to have been used as a tomb.

[4] *St. Paul's* Landmark London Anglican Cathedral.

[5] *prima facie* [Latin: on its face.] At first sight.

[6] *republicanism* Belief that government should be in the form of a republic—that is, by elected representatives, rather than by a monarch.

Of all difficulties which impede the progress of thought, and the formation of well-grounded opinions on life and social arrangements, the greatest is now the unspeakable ignorance and inattention of mankind in respect to the influences which form human character. Whatever any portion of the human species now are, or seem to be, such, it is supposed, they have a natural tendency to be: even when the most elementary knowledge of the circumstances in which they have been placed, clearly points out the causes that made them what they are. Because a cottier[2] deeply in arrears to his landlord is not industrious, there are people who think that the Irish are naturally idle. Because constitutions can be overthrown when the authorities appointed to execute them turn their arms against them, there are people who think the French incapable of free government. Because the Greeks cheated the Turks, and the Turks only plundered the Greeks, there are persons who think that the Turks are naturally more sincere: and because women, as is often said, care nothing about politics except their personalities, it is supposed that the general good is naturally less interesting to women than to men. History, which is now so much better understood than formerly, teaches another lesson: if only by showing the extraordinary susceptibility of human nature to external influences, and the extreme variableness of those of its manifestations which are supposed to be most universal and uniform. But in history, as in traveling, men usually see only what they already had in their own minds; and few learn much from history, who do not bring much with them to its study.

Hence, in regard to that most difficult question, what are the natural differences between the two sexes—a subject on which it is impossible in the present state of society to obtain complete and correct knowledge—while almost everybody dogmatizes[3] upon it, almost all neglect and make light of the only means by which any partial insight can be obtained into it. This is, an analytic study of the most important department of psychology, the laws of the influence of circumstances on character. For, however great and apparently ineradicable the moral and intellectual differences between men and women might be, the evidence of there being natural differences could only be negative. Those only could be inferred to be natural which could not possibly be artificial—the residuum,[4] after deducting every characteristic of either sex which can admit of being explained from education or external circumstances. The profoundest knowledge of the laws of the formation of character is indispensable to entitle anyone to affirm even that there is any difference, much more what the difference is, between the two sexes considered as moral and rational beings; and since no one, as yet, has that knowledge (for there is hardly any subject which, in proportion to its importance, has been so little studied), no one is thus far entitled to any positive opinion on the subject. Conjectures are all that can at present be made; conjectures more or less probable, according as more or less authorized by such knowledge as we yet have of the laws of psychology, as applied to the formation of character.

Even the preliminary knowledge, what the differences between the sexes now are, apart from all question as to how they are made what they are, is still in the crudest and most incomplete state. Medical practitioners and physiologists have ascertained, to some extent, the differences in bodily constitution; and this is an important element to the psychologist: but hardly any medical practitioner is a psychologist. Respecting the mental characteristics of women; their observations are of no more worth than those of common men. It is a subject on which nothing final can be known, so long as those who alone can really know it, women themselves, have given but little testimony, and that little, mostly suborned. It is easy to know stupid women. Stupidity is much the same all the world over. A stupid person's notions and feelings may confidently be inferred from those which prevail in the circle by which the person is surrounded. Not so with those whose opinions and feelings are an emanation from their own nature and faculties. It is only a man here and there who has any tolerable knowledge of the character even of the women of his own family. I do not mean, of their capabilities; these nobody knows, not even themselves, because most of them have never been called out. I mean their actually existing thoughts and feelings. Many a man thinks he perfectly understands women, because he has had amatory relations with several, perhaps with many of them. If he is a good observer, and his experience extends to quality as well as quantity, he may have learnt something of one narrow department of their nature—an important department, no doubt. But of all the rest of it, few persons are generally more ignorant, because there are few from whom it is so carefully hidden. The most favorable case which a man can generally have for studying the character of a woman, is that of his own wife: for the opportunities are greater, and the cases of complete sympathy not so unspeakably rare. And in fact, this is the source from which any knowledge worth having on the subject has, I believe, generally come. But most men have not had the opportunity of studying in this way more than a single case: accordingly one can, to an almost laughable degree, infer what a man's wife is like, from his opinions about women in general. To make even this one case yield any result, the woman must be worth knowing, and the man not only a competent judge, but of a character so sympathetic in itself, and so well adapted to hers, that he can either read her mind by sympathetic intuition, or has nothing in himself which makes her shy of disclosing it. Hardly anything, I believe, can be more rare than this conjunction. It often happens that there is the most complete unity of feeling and community of interests as to all external things, yet the one has as little admission into the internal life of the other as if they were common acquaintance. Even with true affection, authority on the one side and subordination on the other prevent perfect confidence. Though nothing may be intentionally withheld, much is not shown. In the analogous relation of parent and child, the corresponding phenomenon must have been in the observation of everyone. As between father and son, how many are the cases in which the father, in spite of real affection on both sides, obviously to all the world does not know, nor suspect, parts of the son's character familiar to his companions and equals. The truth is, that the position of looking up to another is extremely unpropitious to[1] complete sincerity and openness with him. The fear of losing ground in his opinion or in his feelings is so strong, that even in an upright character, there is an unconscious tendency to show only the best side, or the side which, though not the best, is that which he most likes to see: and it may be confidently said that thorough knowledge of one another hardly ever exists, but between persons who, besides being intimates, are equals. How much more true, then, must all this be, when the one is not only under the authority of the other, but has it inculcated on her as a duty to reckon everything else subordinate to his comfort and pleasure, and to let him neither see nor feel anything coming from her, except what is agreeable to him. All these difficulties stand in the way of a man's obtaining any thorough knowledge even of the one woman whom alone, in general, he has sufficient opportunity of studying. When we further consider that to understand one woman is not necessarily to understand any other woman; that even if he could study many women of one rank, or of one country, he would not thereby understand women of other ranks or countries; and even if he did, they are still only the women of a single period of history; we may safely assert that the knowledge which men can acquire of women, even as they have been and are, without reference to what they might be, is wretchedly imperfect and superficial, and always will be so, until women themselves have told all that they have to tell.

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[1] *hot-house and stove cultivation* Artificial—likened to the raising of plants in a heated greenhouse.

[2] *cottier* In Ireland, a peasant working a small parcel of rented land.

[3] *dogmatizes* Expresses strongly held views without reference to evidence or argument.

[4] *residuum* What is left over.

And this time has not come; nor will it come otherwise than gradually. It is but of yesterday that women have either been qualified by literary accomplishments or permitted by society, to tell anything to the general public. As yet very few of them dare tell anything, which men, on whom their literary success depends, are unwilling to hear. Let us remember in what manner, up to a very recent time, the expression, even by a male author, of uncustomary opinions, or what are deemed eccentric feelings, usually was, and in some degree still is, received; and we may form some faint conception under what impediments a woman, who is brought up to think custom and opinion her sovereign rule, attempts to express in books anything drawn from the depths of her own nature. The greatest woman who has left writings behind her sufficient to give her an eminent rank in the literature of her country, thought it necessary to prefix as a motto to her boldest work, *Un homme peut braver l'opinion*; *une femme doit s'y soumettre.*[1] The greater part of what women write about women is mere sycophancy[2] to men. In the case of unmarried women, much of it seems only intended to increase their chance of a husband. Many, both married and unmarried, overstep the mark, and inculcate a servility beyond what is desired or relished by any man, except the very vulgarest. But this is not so often the case as, even at a quite late period, it still was. Literary women are becoming more free-spoken, and more willing to express their real sentiments. Unfortunately, in this country especially, they are themselves such artificial products, that their sentiments are compounded of a small element of individual observation and consciousness, and a very large one of acquired associations. This will be less and less the case, but it will remain true to a great extent, as long as social institutions do not admit the same free development of originality in women which is possible to men. When that time comes, and not before, we shall see, and not merely hear, as much as it is necessary to know of the nature of women, and the adaptation of other things to it.

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[1] *unpropitious to* Unfavorable for.

I have dwelt so much on the difficulties which at present obstruct any real knowledge by men of the true nature of women, because in this as in so many other things *opinio copiae inter maximas causas inopiae est*;[3] and there is little chance of reasonable thinking on the matter while people flatter themselves that they perfectly understand a subject of which most men know absolutely nothing, and of which it is at present impossible that any man, or all men taken together, should have knowledge which can qualify them to lay down the law to women as to what is, or is not, their vocation. Happily, no such knowledge is necessary for any practical purpose connected with the position of women in relation to society and life. For, according to all the principles involved in modern society, the question rests with women themselves—to be decided by their own experience, and by the use of their own faculties. There are no means of finding what either one person or many can do, but by trying—and no means by which anyone else can discover for them what it is for their happiness to do or leave undone.

One thing we may be certain of—that what is contrary to women's nature to do, they never will be made to do by simply giving their nature free play. The anxiety of mankind to interfere in behalf of nature, for fear lest nature should not succeed in effecting its purpose, is an altogether unnecessary solicitude. What women by nature cannot do, it is quite superfluous to forbid them from doing. What they can do, but not so well as the men who are their competitors, competition suffices to exclude them from; since nobody asks for protective duties and bounties in favor of women; it is only asked that the present bounties and protective duties in favor of men should be recalled. If women have a greater natural inclination for some things than for others, there is no need of laws or social inculcation to make the majority of them do the former in preference to the latter. Whatever women's services are most wanted for, the free play of competition will hold out the strongest inducements to them to undertake. And, as the words imply, they are most wanted for the things for which they are most fit; by the apportionment of which to them, the collective faculties of the two sexes can be applied on the whole with the greatest sum of valuable result.

The general opinion of men is supposed to be, that the natural vocation of a woman is that of a wife and mother. I say, is supposed to be, because, judging from acts—from the whole of the present constitution of society—one might infer that their opinion was the direct contrary. They might be supposed to think that the alleged natural vocation of women was of all things the most repugnant to their nature; insomuch that if they are free to do anything else—if any other means of living or occupation of their time and faculties, is open, which has any chance of appearing desirable to them—there will not be enough of them who will be willing to accept the condition said to be natural to them. If this is the real opinion of men in general, it would be well that it should be spoken out. I should like to hear somebody openly enunciating the doctrine (it is already implied in much that is written on the subject)—It is necessary to society that women should marry and produce children. They will not do so unless they are compelled. Therefore it is necessary to compel them. The merits of the case would then be clearly defined. It would be exactly that of the slaveholders of South Carolina and Louisiana. It is necessary that cotton and sugar should be grown. White men cannot produce them. Negroes will not, for any wages which we choose to give. Ergo[1] they must be compelled. An illustration still closer to the point is that of impressment.[2] Sailors must absolutely be had to defend the country. It often happens that they will not voluntarily enlist. Therefore there must be the power of forcing them. How often has this logic been used! and, but for one flaw in it, without doubt it would have been successful up to this day. But it is open to the retort—First pay the sailors the honest value of their labor. When you have made it as well worth their while to serve you, as to work for other employers, you will have no more difficulty than others have in obtaining their services. To this there is no logical answer except I will not: and as people are now not only ashamed, but are not desirous, to rob the laborer of his hire, impressment is no longer advocated. Those who attempt to force women into marriage by closing all other doors against them, lay themselves open to a similar retort. If they mean what they say, their opinion must evidently be, that men do not render the married condition so desirable to women, as to induce them to accept it for its own recommendations. It is not a sign of one's thinking the boon one offers very attractive, when one allows only Hobson's choice,[3] that or none. And here, I believe, is the clue to the feelings of those men, who have a real antipathy to the equal freedom of women. I believe they are afraid, not lest women should be unwilling to marry, for I do not think that anyone in reality has that apprehension; but lest they should insist that marriage should be on equal conditions; lest all women of spirit and capacity should prefer doing almost anything else, not in their own eyes degrading, rather than marry, when marrying is giving themselves a master, and a master too of all their earthly possessions. And truly, if this consequence were necessarily incident to[4] marriage, I think that the apprehension would be very well founded. I agree in thinking it probable that few women, capable of anything else, would, unless under an irresistible entrainment, rendering them for the time insensible to anything but itself, choose such a lot, when any other means were open to them of filling a conventionally honorable place in life: and if men are determined that the law of marriage shall be a law of despotism, they are quite right, in point of mere policy, in leaving to women only Hobson's choice. But, in that case, all that has been done in the modern world to relax the chain on the minds of women, has been a mistake. They never should have been allowed to receive a literary education. Women who read, much more women who write, are, in the existing constitution of things, a contradiction and a disturbing element: and it was wrong to bring women up with any acquirements[5] but those of an odalisque,[6] or of a domestic servant.

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[1] *Un homme peut braver ... une femme doit s'y soumettre* French: A man can defy opinion; a woman must submit to it. Motto on the title page of Germaine de Staël's 1802 novel *Delphine*.

[2] *sycophancy* Insincere flattery designed to elicit advantage.

[3] *opinio copiae inter maximas causas inopiae est* Latin: Popular opinion is deficient on many matters.—Francis Bacon.

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[1] *Ergo* Latin: therefore (the mark of a conclusion of an argument).

[2] *impressment* The practice of forcibly inducting men into military service.

[3] *Hobson's choice* The choice of taking something offered or nothing.

[4] *incident to* An accompaniment of.

[5] *acquirements* Learned skills.

[6] *odalisque* Enslaved woman in a harem.

HARRIET (HARDY) TAYLOR MILL
(1807 – 1858)

Harriet Taylor Mill was an early feminist and radical philosopher, an advocate of women's rights to vote and to education, a socialist defender of the working class and an eloquent spokeswoman for individual expression, liberty, and the toleration of dissenting opinions. She criticized marriage as an institution designed for the gratification of men and bemoaned the loss to humanity caused by preventing women from acquiring the education and experience necessary to flourish as independent individuals.

Taylor Mill was raised in a Unitarian household, and was largely self-educated. At age eighteen she married John Taylor, a wealthy pharmaceutical merchant, eleven years her senior. They initially had a happy marriage, but later she became frustrated by his lack of interest in intellectual and artistic matters, and, having met John Stuart Mill, began to spend a good deal of time with him. When apart (her tuberculosis forced her to spend months in the warm south of France) they maintained a voluminous correspondence, exchanging personal thoughts, discussing intellectual matters and passing drafts of writings back and forth. Those who knew about this relationship were scandalized, especially after the Taylors agreed to a separation in 1833. Struggling to find a satisfactory way out of her problems, and not wanting to subject her husband to scandal, she returned to John Taylor, with the understanding that her relationship with Mill would be kept secret. After John Taylor died of cancer in 1849, she lived in mourning for a respectable two years before marrying Mill. They lived together mostly in seclusion, possibly to try to keep to a minimum any lingering taint of scandal, but probably also because they enjoyed each others' company so much, and were so busy with their joint work. In 1858 her tuberculosis flared up, and they traveled again to southern Europe; she died in Avignon in the south of France. Till his death, Mill spent part of each year in Avignon, where he daily visited his wife's grave.

Exactly how much authorship of a number of works should be attributed to Taylor Mill remains unclear. Both Taylor Mill and Mill were clearly aware that, at that time, many readers would discount writing listing a woman's name as author (and, indeed, joint authorship where a woman was involved). In his *Autobiography*, John Stuart Mill wrote:

> The whole mode of thinking of which [*On Liberty*] was the expression, was emphatically hers. But I also was so thoroughly imbued with it that the same thoughts naturally occurred to us both. When two persons have their thoughts and speculations completely in common; when all subjects of intellectual or moral interest are discussed between them in daily life, and probed to much greater depths than are usually or conveniently sounded in writings intended for general readers; when they set out from the same principles, and arrive at their conclusions by processes pursued jointly, it is of little consequence in respect to the question of originality, which of them holds the pen; the one who contributes least to the composition may contribute most to the thought; the writings which result are the joint product of both, and it must often be impossible to disentangle their respective parts, and affirm that this belongs to one and that to the other. (Vol 1, 251)

Though Mill's own assessment of the extent of their collaborating has been questioned, there is little other firm evidence to fall back on to resolve the issues of their respective contributions and authorship. She first collaborated with Mill on his *Principles of Political Economy* (1848) and he credited her with prompting him to write the chapter "On the Probable Futurity of the Laboring Classes." As mentioned above, her ideas played an important role in the production of *On Liberty* (1859). Finally, correspondence between the two suggests that she first drafted some of the paragraphs on marriage from *The Subjection of Women* (1869).

The Enfranchisement of Women (1851), from which we include a selection here, is the major philosophical work for which there is the most convincing case for Taylor Mill's sole authorship. Originally published in the *Westminster Review*, it defends women's suffrage and advocates the elimination of restrictions on women's political participation and occupation. Taylor Mill sets out feminist claims that some have argued are more radical than those put forward in *Subjection of Women*: "We deny the right of any portion of the species to decide for another portion, or any individual for another individual, what is and what is not their 'proper sphere.'" As an explanation for the current state of things, she adds, "When … we ask why the existence of one-half the species should be merely ancillary to that of the other—why each woman should be a mere appendage to a man, allowed to have no interest of her own, that there may be nothing to compete in her mind with his interests and his pleasure; the only reason which can be given is, that men like it."

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The Enfranchisement of Women (1851)

Most of our readers will probably learn from these pages for the first time, that there has arisen in the United States, and in the most civilized and enlightened portion of them, an organized agitation on a new question—new, not to thinkers, nor to anyone by whom the principles of free and popular government are felt as well as acknowledged, but new, and even unheard-of, as a subject for public meetings and practical political action. This question is, the enfranchisement[1] of women; their admission, in law and in fact, to equality in all rights, political, civil, and social, with the male citizens of the community.

It will add to the surprise with which many will receive this intelligence, that the agitation which has commenced is not a pleading by male writers and orators for women, those who are professedly to be benefited remaining either indifferent or ostensibly hostile. It is a political movement, practical in its objects, carried on in a form which denotes an intention to persevere. And it is a movement not merely *for* women, but *by* them. Its first public manifestation appears to have been a Convention of Women, held in the State of Ohio, in the spring of 1850. Of this meeting we have seen no report. On the 23rd and 24th of October last, a succession of public meetings was held at Worcester in Massachusetts under the name of a "Women's Rights Convention," of which the president was a woman, and nearly all the chief speakers women; numerously reinforced, however, by men, among whom were some of the most distinguished leaders in the kindred cause of negro emancipation. A general and four special committees were nominated, for the purpose of carrying on the undertaking until the next annual meeting.

According to the report in the *New York Tribune*, above a thousand persons were present throughout, and "if a larger place could have been had, many thousands more would have attended." The place was described as "crowded from the beginning with attentive and interested listeners." In regard to the quality of the speaking, the proceedings bear an advantageous comparison with those of any popular movement with which we are acquainted, either in this country or in America. Very rarely in the oratory of public meetings is the part of the verbiage and declamation so small, that of calm good sense and reason so considerable. The result of the Convention was in every respect encouraging to those by whom it was summoned: and it is probably destined to inaugurate one of the most important of the movements towards political and social reform, which are the best characteristics of the present age.

That the promoters of this new agitation take their stand on principles, and do not fear to declare these in their widest extent, without time-serving or compromise, will be seen from the resolutions adopted by the Convention, part of which we transcribe.

Resolved—That every human being, of full age, and resident for a proper length of time on the soil of the nation, who is required to obey the law, is entitled to a voice in its enactment; that every such person, whose property or labor is taxed for the support of the government, is entitled to a direct share in such government; therefore,

Resolved—That women are entitled to the right of suffrage, and to be considered eligible to office, … and that every party which claims to represent the humanity, the civilization, and the progress of the age, is bound to inscribe on its banner equality before the law, without distinction of sex or color.

Resolved—That civil and political rights acknowledge no sex, and therefore the word "male" should be struck from every State Constitution.

Resolved—That, since the prospect of honorable and useful employment in after-life[2] is the best stimulus to the use of educational advantages, and since the best education is that we give ourselves, in the struggles, employments, and discipline of life; therefore it is impossible that women should make full use of the instruction already accorded to them, or that their career should do justice to their faculties, until the avenues to the various civil and professional employments are thrown open to them.

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[1] *enfranchisement* (Narrowly) getting the right to vote; (more broadly) being admitted to membership, or political privileges, in a state.

[2] *after-life* Life following education.

Resolved—That every effort to educate women, without according to them their rights, and arousing their conscience by the weight of their responsibilities, is futile, and a waste of labor.

Resolved—That the laws of property, as affecting married persons, demand a thorough revisal, so that all rights be equal control over the property gained by their mutual toil and sacrifices, and be heir to her husband precisely to that extent that he is heir to her, and entitled at her death to dispose by will of the same share of the joint property as he is.

The following is a brief summary of the principal demands.

1. *Education* in primary and high schools, universities, medical, legal, and theological institutions.
2. *Partnership* in the labors and gains, risks and remunerations, of productive industry.
3. A *coequal share* in the formation and administration of laws—municipal, state and national—through legislative assemblies, courts, and executive offices.

It would be difficult to put so much true, just, and reasonable meaning into a style so little calculated to recommend it as that of some of the resolutions. But whatever objection may be made to some of the expressions, none, in our opinion, can be made to the demands themselves. As a question of justice, the case seems to us too clear for dispute. As one of expediency, the more thoroughly it is examined the stronger it will appear.

The women have as good as claim as men have, in point of personal right, to the suffrage, or to a place in the jury-box, it would be difficult for anyone to deny. It cannot certainly be denied by the United States of America, as a people or as a community. Their democratic institutions rest avowedly on the inherent right of every one to a voice in the government. Their Declaration of Independence, framed by the men who are still great constitutional authorities—that document which has been from the first, and is now, the acknowledged basis of their polity, commences with this express statement:

> We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

We do not imagine that any American democrat will evade the force of these expressions by the dishonest or ignorant subterfuge, that "men," in this memorable document, does not stand for human beings, but for one sex only; that "life, liberty, and the pursuit of happiness" are "inalienable rights" of only one moiety of the human species; and that "the governed," whose consent is affirmed to be the only source of just power, are meant for that half of mankind only, who, in relation to the other, have hitherto assumed the character of governors. The contradiction between principle and practice cannot be explained away. A like dereliction of the fundamental maxims of their political creed has been committed by the Americans in the flagrant instance of the negroes; of this they are learning to recognize the turpitude. After a struggle which, by many of its incidents, deserves the name of heroic, the abolitionists[1] are now so strong in numbers and in influence that they hold the balance of parties in the United States. It was fitting that the men whose names will remain associated with the extirpation, for the democratic soil of America, of the aristocracy of color, should be among the originators, for America and for the rest of the world, of the first collective protest against the aristocracy of sex; a distinction as accidental as that of color, and fully as irrelevant to all questions of government.

Not only to the democracy of America, the claim of women to civil and political equality makes an irresistible appeal, but also to those Radicals and Chartists[2] in the British islands, and democrats on the continent, who claim what is called universal suffrage as an inherent right, unjustly and oppressively withheld from them. For with what truth or rationality could the suffrage be termed universal, while half the human species remained excluded from it? To declare that a voice in the government is the right of all, and demand it only for a part—the part, namely, to which the claimant himself belongs—is to renounce even the appearance of principle. The Chartist who denies the suffrage to women, is a Chartist only because he is not a lord: he is one of those levelers[1] who would level only down to themselves.

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[1] *abolitionists* Advocates of the abolition of slavery.

[2] *Chartists* Supporters of a working-class movement in England between 1838 and 1848 for political and social reform. The first of the six points of the "People's Charter" listing their demands was "a vote for every man twenty-one years of age, of sound mind, and not undergoing punishment for crime."

Even those who do not look upon a voice in the government as a matter of personal right, nor profess principles which require that it should be extended to all, have usually traditional maxims of political justice with which it is impossible to reconcile the exclusion of all women from the common rights of citizenship. It is an axiom of English freedom that taxation and representation should be co-extensive. Even under the laws which give the wife's property to the husband, there are many unmarried women who pay taxes. It is one of the fundamental doctrines of the British Constitution, that all persons should be tried by their peers: yet women, whenever tried, are by male judges and a male jury. To foreigners the law accords the privilege of claiming that half the jury should be composed of themselves; not so to women. Apart from maxims of detail, which represent local and national rather than universal ideas; it is an acknowledged dictate of justice to make no degrading distinctions without necessity. In all things the presumption ought to be on the side of equality. A reason must be given why anything should be permitted to one person and interdicted to another. But when that which is interdicted includes nearly everything which those to whom it is permitted most prize, and to be deprived of which they feel to be most insulting; when not only political liberty but personal freedom of action is the prerogative of a caste; when even in the exercise of industry, almost all employments which task the higher faculties in an important field, which lead to distinction, riches, or even pecuniary independence, are fenced around as the exclusive domain of the predominant section, scarcely any doors being left open to the dependent class, except such as all who can enter elsewhere disdainfully pass by; the miserable expediencies which are advanced as excuses for so grossly partial a dispensation, would not be sufficient, even if they were real, to render it other than a flagrant justice. While, far from being expedient, we are firmly convinced that the division of mankind into two castes, one born to rule over the other, is in this case, as in all cases, an unqualified mischief; a source of perversion and demoralization, both to the favored class and to those at whose expense they are favored; producing none of the good which it is the custom to ascribe to it, and forming a bar, almost insuperable while it lasts, to any really vital improvement, either in the character or in the social condition of the human race.

These propositions it is now our purpose to maintain. But before entering on them, we would endeavor to dispel the preliminary objections which, in the minds of persons to whom the subject is new, are apt to prevent a real and conscientious examination of it. The chief of these obstacles is that most formidable one, custom. Women never have had equal rights with men. The claim in their behalf, of the common rights of mankind, is looked upon as barred by universal practice. This strongest of prejudices, the prejudice against what is new and unknown, has, indeed, in an age of changes like the present, lost much of its force; if it had not, there would be little hope of prevailing against it. Over three-fourths of the habitable world, even at this day, the answer, "it has always been so," closes all discussion. But it is the boast of modern Europeans, and of their American kindred, that they know and do many things which their forefathers neither knew nor did; and it is perhaps the most unquestionable point of superiority in the present above former ages, that habit is not now the tyrant it formerly was over opinions and modes of action, and that the worship of custom is a declining idolatry. An uncustomary thought, on a subject which touches the greater interests of life, still startles when first presented; but if it can be kept before the mind until the impression of strangeness wears off, it obtains a hearing, and as rational a consideration as the intellect of the hearer is accustomed to bestow on any other subject.

In the present case, the prejudice of custom is doubtless on the unjust side. Great thinkers, indeed, at different times, from Plato to Condorcet,[2] besides some of the most eminent names of the present age, have made emphatic protest in favor of the equality of women. And there have been voluntary societies, religious or secular, of which the Society of Friends[3] is the most known, by whom that principle was recognized. But there has been no political community or nation in which, by laws and usage, women have not been in a state of political and civil inferiority. In the ancient world the same fact was alleged, with equal truth, in behalf of slavery. It might have been alleged in favor of the mitigated form of slavery, serfdom, all through the middle ages. It was urged against freedom of industry, freedom of conscience, freedom of the press; none of these liberties were thought compatible with a well-ordered state, until they had proved their possibility by actually existing as facts. That an institution or a practice is customary is no presumption of its goodness, when any other sufficient cause can be assigned for its existence. There is no difficulty in understanding why the subjection of women has been a custom. No other explanation is needed than physical force.

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[1] *levelers* Believers in social equality.

[2] *Condorcet* Marie Jean Antoine Nicolas Caritat, marquis de Condorcet (1743–94).

[3] *Society of Friends* The official name for the religious group more informally known as Quakers.

That those who were physically weaker should have been made legally inferior, is quite conformable to the mode in which the world has been governed. Until very lately, the rule of physical strength was the general law of human affairs. Throughout history, the nations, races, classes, which found themselves the strongest, either in muscles, in riches, or in military discipline, have conquered and held in subjection the rest. If, even in the most improved nations, the law of the sword is at last discountenanced[1] as unworthy, it is only since the calumniated[2] eighteenth century. Wars of conquest have only ceased since democratic revolutions began. The world is very young, and has but just begun to cast off injustice. It is only now getting rid of monarchial despotism. It is only now getting rid of hereditary feudal nobility. It is only now getting rid of disabilities on the ground of religion. It is only beginning to treat any men as citizens, except the rich and a favored portion of the middle class. Can we wonder that it has not yet done as much for women? As society was constituted until the last few generations, inequality was its very basis; association grounded on equal rights scarcely existed; to be equals was to be enemies; two persons could hardly cooperate in anything, or meet in any amicable relation, without the law's appointing that one of them should be superior of the other. Mankind have outgrown this state, and all things now tend to substitute, as the general principle of human relations, a just equality, instead of the dominion of the strongest. But of all relations, that between men and women being the nearest and most intimate, and connected with the greatest number of strong emotions, was sure to be the last to throw off the old rule and receive the new: for in proportion to the strength of a feeling, is the tenacity with which it clings to the forms and circumstances with which it has even accidentally become associated.

When a prejudice, which has any hold on the feelings, finds itself reduced to the unpleasant necessity of assigning reasons, it thinks it had done enough when it has reasserted the very point in dispute, in phrases which appeal to the pre-existing feeling. Thus, many persons think they have sufficiently justified the restrictions on women's field of action, when they have said that the pursuits from which women are excluded are *unfeminine*, and that the *proper sphere* of women is not politics or publicity, but private and domestic life.

We deny the right of any portion of the species to decide for another portion, or any individual for another individual, what is and what is not their "proper sphere." The proper sphere for all human beings is the largest and highest which they are able to attain to. What this is, cannot be ascertained, without complete liberty of choice. The speakers at the Convention in America have therefore done wisely and right, in refusing to entertain the question of the peculiar aptitudes either of women or of men, or the limits within this or that occupation may be supposed to be more adapted to the one or to the other. They justly maintain, that these questions can only be more adapted to the one or the other. They justly maintain, that these questions can only be satisfactorily answered by perfect freedom. Let every occupation be open to all, without favor or discouragement to any, and employments will fall into the hands of those men or women who are found by experience to be most capable of worthily exercising them. There need be no fear that women will take out of the hands of men any occupation which men perform better than they. Each individual will prove his or her capacities, in the only way in which capacities can be proved—by trial; and the world will have the benefit of the best faculties of all its inhabitants. But to interfere beforehand by an arbitrary limit, and declare that whatever be the genius, talent, energy, or force of mind of an individual of a certain sex or class, those faculties shall not be exerted, or shall be exerted only in some few of the many modes in which others are permitted to use theirs, is not only an injustice to the individual, and a detriment to society, which loses what it can ill spare, but is also the most effectual mode of providing that, in the sex or class so fettered, the qualities which are not permitted to be exercised shall not exist.

Individuals now-a-days are seldom called upon to fight hand to hand, even with peaceful weapons; personal enmities and rivalries count for little in worldly transactions; the general pressure of circumstances, not the adverse will of individuals, is the obstacle men now have to make head against. That pressure, when excessive, breaks the spirit, and cramps and sours the feelings, but not less of women than of men, since they suffer certainly not less from its evils. There are still quarrels and dislikes, but the sources of them are changed. The feudal chief once found his bitterest enemy in his powerful neighbor, the minister or courtier in his rival for place: but opposition of interest in active life, as a cause of personal animosity, is out of date; the enmities of the present day arise not from great things but small, from what people say of one another, more than from what they do; and if there are hatred, malice, and all uncharitableness, they are to be found among women fully as much as among men. In the present state of civilization, the notion of guarding women from hardening influences of the world, could only be realized by secluding them from society altogether. The common duties of common life, as at present constituted, are incompatible with any other softness in women than weakness. Surely weak minds in weak bodies must ere long cease to be even supposed to be either attractive or amiable.

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[1] *discountenanced* Disapproved of, discouraged.

[2] *calumniated* Falsely accused.

But, in truth, none of these arguments and considerations touch the foundations of the subject. The real question is, whether it is right and expedient that one-half of the human race should pass through life in a state of forced subordination to the other half. If the best state of human society is that of being divided into two parts, one consisting of persons with a will and a substantive existence, the other of humble companions to these persons, attached, each of them to one, for the purpose of bringing up *his* children, and making *his* home pleasant to him; if this is the place assigned to women, it is but kindness to educate them for this; to make them believe that the greatest good fortune which can befall them, is to be chosen by some man for this purpose; and that every other career which the world deems happy or honorable, is closed to them by the law, not social institutions, but of nature and destiny.

When, however, we ask why the existence of one-half the species should be merely ancillary to that of the other—why each woman should be a mere appendage to a man, allowed to have no interest of her own, that there may be nothing to compete in her mind with his interests and his pleasure; the only reason which can be given is, that men like it. It is agreeable to them that men should live for their own sake, women for the sake of men: and the qualities and conduct in subjects which are agreeable to rulers, they succeed for a long time in making the subjects themselves consider as their appropriate virtues. Helvetius[1] has met with much obloquy for asserting, that persons usually mean by virtues the qualities which are useful or convenient to themselves. How truly this is said of mankind in general, and how wonderfully the ideas of virtue set afloat by the powerful, are caught and imbibed by those under the dominion, is exemplified by the manner in which the world were once persuaded that the supreme virtue of subjects was loyalty to kings, and are still persuaded that the paramount virtue of womanhood is loyalty to men. Under a nominal[2] recognition of a moral code common to both, in practice self-will and self-assertion form the type of what are designated as manly virtues, while abnegation of self, patience, resignation, and submission to power, unless when resistance is commanded by other interests than their own, have been stamped by general consent as pre-eminently the duties and graces required of women. The meaning being merely, that power makes itself the center of moral obligation, and that a man likes to have his own will, but does not like that his domestic companion should have a will different from his.

In the beginning, and among tribes which are still in a primitive condition, women were and are the slaves of men for purposes of toil. All the hard bodily labor devolves on them. The Australian savage is idle, while women painfully dig up the roots on which he lives. An American Indian, when he has killed a deer, leaves it, and sends a woman to carry it home. In a state somewhat more advanced, as in Asia, women were and are the slaves of men for purposes of sensuality. In Europe there early succeeded a third and milder dominion, secured not by blows, nor by locks and bars, but by sedulous inculcation on the mind; feelings also of kindness, and ideas of duty, such as a superior owes to inferiors under his protection, became more and more involved in the relation of companionship, even between unequals. The lives of the two persons were apart. The wife was part of the furniture of home—of the resting-place to which the man returned from business or pleasure.

Thus the position is corrupting equally to both; in the one it produces the vices of power, in the other those of artifice. Women, in their present physical and moral state, having stronger impulses, would naturally be franker and more direct than men; yet all the old saws and traditions represent them as artful and dissembling. Why? Because their only way to their objects is by indirect paths. In all countries where women have strong wishes and active minds, this consequence is inevitable; and if it is less conspicuous in England than in some other places, it is because Englishwomen, saving occasional exceptions, have ceased to have either strong wishes or active minds.

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[1] *Helvetius* Claude Adrien Helvetius (1715–71), a French philosopher and poet well known for his utilitarian views.

[2] *nominal* In name, but not in fact.

We are not now speaking of cases in which there is anything deserving the name of strong affection on both sides. That, where it exists, is too powerful a principle not to modify greatly the bad influences of the situation; it seldom, however, destroys them entirely. Much oftener the bad influences are too strong for the affection, and destroy it. The highest order of durable and happy attachments would be a hundred times more frequent than they are, if the affection which the two sexes sought from one another were that genuine friendship, which only exists between equals in privileges as in faculties.

With respect to the influence personally exercised by women over men, it, no doubt, renders them less harsh and brutal; in ruder times, it was often the only softening influence to which they were accessible. But the assertion, that the wife's influence renders the man less selfish, contains, as things now are, fully as much error as truth. Selfishness towards the wife herself, and towards those in whom she is interested, the children, though favored by her dependence, the wife's influence, no doubt, tends to counteract. But the general effect on him of her character, so long as her interests are concentrated in the family, tends but to substitute for individual selfishness a family selfishness, wearing an amiable guise, and putting on the mask of duty. How rarely is the wife's influence on the side of public virtue; how rarely does it do otherwise that discourage any effort of principle by which the private interests or worldly vanities of the family can be expected to suffer. Public spirit, sense of duty towards the public good, is of all virtues, as women are now educated and situated, the most rarely to be found among them; they have seldom even, what in men is often a partial substitute for public spirit, a sense of personal honor connected with any public duty. Many a man, whom no money or personal flattery would have bought, has bartered his political opinions against a title or invitations for his wife; and a still greater number are made mere hunters after the puerile vanities of society, because their wives value them. As for opinions; in Catholic countries, the wife's influence is another name for that of the priest; he gives her, in hopes and emotions connected with a future life, a consolation for the sufferings and disappointments which are her ordinary lot in this. Elsewhere, her weight is thrown into the scale either of the most commonplace, or of the most outwardly prosperous opinions: either those by which censure will be escaped, or by which worldly advancement is likeliest to be procured. In England, the wife's influence is usually on the illiberal[1] and anti-popular side: this is generally the gaining side for personal interest and vanity; and what to her is the democracy of liberalism in which she has no part—which leaves her the Pariah it found her? The man himself, when he marries, usually declines into Conservatism; begins to sympathize with the holders of power, more than with its victims, and thinks it his part to be on the side of authority. As to mental progress, except those vulgar attainments by which vanity or ambition are promoted, there is generally an end to it in a man who marries a woman mentally his inferior; unless, indeed, he is unhappy in marriage, or becomes indifferent. From a man of twenty-five or thirty, after he is married, an experienced observer seldom expects any further progress in mind or feelings. It is rare that the progress already made is maintained. Any spark of the *mens divinior*[2] which might otherwise have spread and become a flame, seldom survives for any length of time unextinguished. For a mind which learns to be satisfied with what it already is—which does not incessantly look forward to a degree of improvement not yet reached—becomes relaxed, self-indulgent, and loses the spring and the tension which maintain it even at the point already attained. And there is no fact in human nature to which experience bears more invariable testimony than to this—that all social or sympathetic influences which do not raise up, pull down; if they do not tend to stimulate and exalt the mind, they tend to vulgarize it.

For the interest, therefore, not only of women but of men, and of human improvement in which the modern world often boasts of having effected, and for which credit is sometimes given to civilization, and sometimes to Christianity, cannot stop where it is. If it were either necessary or just that one portion of mankind should remain mentally and spiritually only half developed, the development of the other portion ought to have been made, as far as possible, independent of their influence. Instead of this, they have become the most intimate, and it may now be said, the only intimate associates of those to whom yet they are sedulously kept inferior; and have been raised just high enough to drag the others down to themselves.

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[1] *illiberal* Narrow-minded, ungenerous.

[2] *mens divinior* Latin: more divinely inspired mind.

We have left behind a host of vulgar objections either as not worthy of an answer, or as answered by the general course of our remarks. A few words, however, must be said on one plea, which in England is made much use of for giving an unselfish air to the upholding of selfish privileges, and which, with unobserving, unreflecting people, passes for much more than it is worth. Women, it is said, do not desire—do not seek, what is called their emancipation. On the contrary, they generally disown such claims when made in their behalf, and fall with *acharnement*[1] upon anyone of themselves who identifies herself with their common cause.

Supposing the fact to be true in the fullest extent ever asserted, if it proves that European women ought to remain as they are, it proves exactly the same with respect to Asiatic women; for they too, instead of murmuring at their seclusion, and at the restraint imposed upon them, pride themselves on it, and are astonished at the effrontery of women who receive visits from male acquaintances, and are seen in the streets unveiled. Habits of submission make men as well as women servile-minded. The vast population of Asia do not desire or value, probably would not accept, political liberty, nor the savage of the forest, civilization; which does not prove that either of those things is undesirable for them, or that they will not, at some future time, enjoy it. Custom hardens human beings to any kind of degradation, by deadening the part of their nature which would resist it. And the case of women is, in this respect, even a peculiar one, for no other inferior caste that we have heard of have been taught to regard degradation as their honor. The argument, however, implies a secret consciousness that the alleged preference of women for their dependent state is merely apparent; and arises from their being allowed no choice; for if the preference be natural, there can be no necessity for enforcing it by law. To make laws compelling people to follow their inclination, had not hitherto been thought necessary by any legislator. The plea that women do not desire any change, is the same that has been urged, times out of mind, against the proposal of abolishing any social evil—"there is no complaint"; which is generally not true, and when true, only so because there is not that hope of success, without which complaint seldom makes itself audible to unwilling ears. How does the objector know that women do not desire equality and freedom? He never knew a woman who did not, or would not, desire it for herself individually. It would be very simple to suppose, that if they do desire it they will say so. Their position is like that of the tenants or laborers who vote against their own political interest to please their landlords or employers; with the unique addition, that submission is inculcated on them from childhood, as the peculiar attention and grace of their character. They are taught to think, that to repel actively even an admitted injustice done to themselves, is somewhat unfeminine, and had better be left to some male friend or protector.

The professions of women in this matter remind us of the State offenders of old, who, on the point of execution, used to protest their love and devotion to the sovereign by whose unjust mandate they suffered. *Griselda*[2] herself might be matched from the speeches put by Shakespeare into the mouths of male victims of kingly caprice and tyranny: the Duke of Buckingham, for example, in *Henry the Eighth*, and even Wolsey.[3] The literary class of women, especially in England, are ostentatious in disclaiming the desire for equality or citizenship, and proclaiming their complete satisfaction with the place which society assigns to them; exercising in this, as in many other respects, a most noxious influence over the feelings and opinions of men, who unsuspectingly accept the servilities of toadyism as concessions to the force of truth, not considering that it is the personal interest of these women to profess whatever opinions they expect will be agreeable to men. It is not among men of talent, sprung from the people, and patronized and flattered by the aristocracy, that we look for the leaders of a democratic movement. Successful literary women are just as unlikely to prefer the cause of women to their own social consideration.

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[1] *acharnement* French: fierceness, fury, determination.

[2] *Griselda* Character in *The Decameron* (1353) by Boccaccio (1313–75). She reacts to spousal abuse with what is presented as heroic patience and obedience.

[3] *Duke of Buckingham … Wolsey* In Shakespeare's play, the Duke, a victim of Cardinal Wolsey's scheming, is unjustly on trial for treason but nevertheless reacts "sweetly," showing "a most noble patience." Wolsey later, fallen into misfortune, understands his own wrongdoing, and becomes, through suffering, serene and humble.

SOJOURNER TRUTH
(1797 – 1883)

SOJOURNER TRUTH IS AN ICON BOTH FOR FEMINISTS AND for African-Americans. Born into slavery in a Dutch settlement in New York State, her original name was Isabella Baumfree. She was sold several times, and compelled by one of her masters to marry another slave with whom she had five children (several were sold and taken away from her). Around the time New York State law freed its slaves (1827) she ran away from her master with her youngest child, and became a housekeeper; the family she was working for helped her sue successfully for the return of a child of hers who had been taken to Alabama. Having experienced a religious conversion, she moved to a commune of believers in the imminent arrival of Judgment Day; their leader, calling himself Prophet Matthias, exploited his followers financially and sexually, and was eventually tried for murder (but not convicted). In 1843, after the commune had fallen apart, Isabella felt prompted by the Holy Spirit to change her name to Sojourner Truth and to become a traveling preacher. ("Sojourner" means a traveler staying for only a short time.) She became a popular speaker both for the abolitionist movement, and a few years later, for the women's suffrage movement. Her most famous speech was delivered at a convention on women's rights in Akron, Ohio in 1851. A white abolitionist, Frances Gage, published a version of that speech a few years later, in which (she reports) Truth was confronted by a hostile audience, and said, "That man over there says that women need to be helped into carriages, and lifted over ditches, and to have the best place everywhere. Nobody helps me to any best place. *And ain't I a woman?*" Her fame increased after a laudatory article by Harriet Beecher Stowe was published in the *Atlantic Monthly Magazine* in 1863. ("I do not recollect ever to have been conversant with any one who had more of that silent and subtle power which we call personal presence than this woman.") During the Civil War, Truth raised contributions for black regiments and met Abraham Lincoln in the White House. After the war, she continued speaking, mostly on religion, equal rights for African-Americans, and temperance. She died in 1883.

Truth is important less for what she said, than for how she said it and for what she was taken to represent. According to contemporary sources, she was an enormously strong and forceful presence and a moving orator—an important role model of strong African-American womanhood who rallied the forces for feminism, for the abolition of slavery, for equal rights for blacks. Contemporary academics have become especially interested in the use of her words and persona for various political purposes—and Truth herself was clearly an early participant in this process of myth-making and symbol-construction. Written reports of her life and speeches have been highly selective and variable, filtered through political agendas—including those of Truth herself, in her dictated autobiography, and those of the people who wrote about her and gave accounts of her speeches. (Truth herself was illiterate, so all written material is second-hand.) These accounts tell us as much about how different ages conceptualized race and gender politics, as they do about Truth herself, who remains in many respects elusive. Even her most famous speech is surrounded by question marks; several accounts survive, each different in various ways. The most famous one by Gage was almost certainly highly shaped by the author's desire to connect the abolitionist cause with the issue of women's rights. Scholars agree now that the quote "Ain't I a woman?" was probably Gage's invention, as was the southern black dialect (Truth was raised in New York, and her first language was Dutch).

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Speech Delivered at the Akron, Ohio Convention on Women's Rights, 1851

As Reported by the Anti-Slavery Bugle, *21 June 1851*

One of the most unique and interesting speeches of the Convention was made by Sojourner Truth, an emancipated slave. It is impossible to transfer it to paper, or convey any adequate idea of the effect it produced upon the audience. Those only can appreciate it who saw her powerful form, her whole-souled, earnest gestures, and listened to her strong and truthful tones. She came forward to the platform and addressing the President said with great simplicity:

May I say a few words? Receiving an affirmative answer, she proceeded; I want to say a few words about this matter. I am a woman's rights. I have as much muscle as any man, and can do as much work as any man. I have plowed and reaped and husked and chopped and mowed, and can any man do more than that? I have heard much about the sexes being equal; I can carry as much as any man, and can eat as much too, if I can get it. I am as strong as any man that is now. As for intellect, all I can say is, if woman have a pint and man a quart—why cant she have her little pint full? You need not be afraid to give us our rights for fear we will take too much—for we cant take more than our pint'll hold. The poor men seem to be all in confusion, and dont know what to do. Why children, if you have woman's rights give it to her and you will feel better. You will have your own rights, and they wont be so much trouble. I cant read, but I can hear. I have heard the bible and have learned that Eve caused man to sin. Well if woman upset the world, do give her a chance to set it right side up again. The Lady has spoken about Jesus, how he never spurned woman from him, and she was right. When Lazarus died, Mary and Martha came to him with faith and love and besought him to raise their brother. And Jesus wept—and Lazarus came forth. And how came Jesus into the world? Through God who created him and woman who bore him. Man, where is your part? But the women are coming up blessed be God and a few of the men are coming up with them. But man is in a tight place, the poor slave is on him, woman is coming on him, and he is surely between a hawk and a buzzard.

As Reported by F.D. Gage for the National Anti-Slavery Standard, *2 May 1863*

"Well, chillen, what dar's so much racket dar must be som'ting out o'kilter. I tink dat 'twixt de niggers of de South and de women at de Norf, all a-talking 'bout rights, de white men will be in a fix pretty soon. But what's all this here talking 'bout? Dat man ober dar say dat woman needs to be helped into carriages, and lifted ober ditches, and to have de best place eberywhar. Nobody eber helps me into carriages, or ober mud-puddles, or gives me any best place"; and, raising herself to her full height, and her voice to a pitch like rolling thunder, she asked, "And ar'n't I a woman? Look at me. Look at my arm," and she bared her right arm to the shoulder, showing its tremendous muscular power. "I have plowed and planted and gathered into barns, and no man could head me—and ar'n't I a woman? I could work as much and eat as much as a man (when I could get it) and bear de lash as well—and ar'n't I a woman? I have borne thirteen chillen, and seen 'em mos' all sold off to slavery, and when I cried out with a mother's grief, none but Jesus heard—and ar'n't I a woman? Den dey talks 'bout dis ting in de head. What dis dey call it" "Intellect," whispered some one near. "Dat's it, honey. What's dat got to do with woman's rights or niggers' rights? If my cup won't hold but a pint, and youm holds a quart, wouldn't ye be mean not to let me have my little half-measure full?" and she pointed her significant finger and sent a keen glance at the minister who had made the argument. The cheering was long and loud. "Den dat little man in black dar, he say woman can't have as much rights as man, 'cause Christ wa'n't a woman. *Whar did your Christ come from?*"

Rolling thunder could not have stilled that crowd as did those deep, wonderful tones, as she stood there with outstretched arms and eye of fire. Raising her voice still louder, she repeated,

"Whar did your Christ come from? From God and a woman. Man had not'ing to do with him." Oh, what a rebuke she gave the little man. Turning again to another objector, she took up the defense of Mother Eve. I cannot follow her through it all. It was pointed and witty and solemn, eliciting at almost every sentence deafening applause, and she ended by asserting: "that if de fust woman God ever made was strong enought to turn de world upside down all her one lone, all dese togeder," and she glanced her eye over us, "ought to be able to turn it back, and git it right side up again, and now dey is asking to, de men better let 'em" (long and continued cheering). "Bleeged[1] to ye for hearin' on me, and now ole Sojourner ha'n't got nothing more to say."

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[1] *Bleeged* Obliged.

ALEXIS DE TOCQUEVILLE

(1805 – 1859)

In 1830, French political theorist Alexis de Tocqueville came to see the US as a concrete representation of democratic ideals. After a research trip there, he wrote the first part of *Democracy in America*, a classic work of political sociology that was to become the chief tool for the world's understanding of that new country. Tocqueville predicted what few other Europeans saw at the time: that the US was not just an infantile wild and uncultured offshoot of Europe, but that it was destined to be a world leader—a power to be reckoned with and also an example to be emulated of a successful democracy.

Tocqueville was born into a family active in politics, and decided early on to seek a career in public life. Having studied law, he took the position of assistant public magistrate, but when Louis-Philippe came to the French throne in 1830, Tocqueville's previous association with the ousted king put him in an uneasy political position, and he and a friend sought permission to go to America to study prison reform. Tocqueville by then had already sensed that America would provide him with a model for the future of democratic France, and he extended his research in America far beyond an examination of the penal situation: he observed and read widely, and interviewed many eminent Americans. On his return, he wrote the book that was widely hailed as a masterwork.

Tocqueville's admiration for democracy always had a touch of ambivalence (later, as Minister of Foreign Affairs in the Second Republic, he would curtail freedom of association and freedom of the press). His aristocratic sensibilities tended toward a certain distrust of the "mob mentality" that had long been associated in certain minds with the notion of majority rule; he feared too that it might lead to lawlessness and curtailment of individual rights. For him, the central problem for democracy was whether it could be compatible, in the long run, with equality and liberty. He saw dangers in the centralization of a monolithic and powerful government, and in the possibility of rule by the majority becoming the tyranny of the majority. He argued in the first part of *Democracy in America* that the characteristically American practice of forming local political associations was an effective way of dealing with both issues. Participation through associations would teach people to work together for common causes, blunting rampant individualism and countering excessive state power. This account of associations has continued to inspire democratic theorists, especially those advocating "participative" or "deliberative" democracy, calling for a more robust role for ordinary citizens in public affairs.

The second part of *Democracy in America* appeared four years after the first, and its tone was rather different. Tocqueville had become depressed by the curtailment of liberties and the political apathy in France, and he was less optimistic about the possibility of genuine libertarian democracy. Elected to the Chamber of Deputies in 1837, he never achieved the political effectiveness he had hoped for. In 1851 he was ousted from his office by the new regime of Louis-Napoleon. He began *The Old Regime and the Revolution*, an iconoclastic book on the French Revolution arguing that the French Revolution, instead of breaking with the Old Regime, continued the process of government centralization in France.

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Democracy in America (1840)

Book Two, Section 2

Chapter 5: On the Use that Americans Make of Public Associations in Civil Life

I do not propose to speak of the political associations which men use to defend themselves against the despotic influence of a majority or the aggressions of royal power. I have already treated that subject. As each citizen becomes individually weaker and consequently less able to preserve his freedom single-handedly, if he did not learn to join with his fellow-citizens to defend his freedom, it is clear that increase of equality would inevitably bring with it increase of tyranny.

I refer here only to those associations which are formed in civil life, not to political bodies. The political associations which exist in the United States are only one of the country's many kinds of association. Americans of all ages, all conditions, and all dispositions, constantly form associations. They have not only commercial and manufacturing companies, in which all take part, but also associations of a thousand other kinds—religious, moral, serious, trivial, extensive, or restricted, enormous or tiny. Americans form associations for entertainment, to found educational institutions, to build inns, to construct churches, to distribute books, to send missionaries to the other side of the earth. In this manner they found hospitals, prisons, and schools. If they propose to advance some doctrine, or to foster some feeling with the help of a great example, they form a society. Wherever there is a new undertaking, in the place of the government in France or of a man of high rank in England, in the United States you will be sure to find an association. I encountered several kinds of associations in America which, I confess, I had no idea existed; and I have often admired the extreme skill of the inhabitants in proposing a common aim for the efforts of a great many men, and in getting them to pursue it voluntarily. I have since traveled in England, from where the Americans have taken some of their laws and many of their customs, and it seemed to me that the principle of association was by no means used so constantly or so skillfully in that country. The English often do great deeds single-handedly, whereas the Americans form associations for the smallest tasks. It is evident that the English consider association as a powerful means for action, while the Americans seem to regard it as the only means for acting.

Thus the most democratic country on the face of the earth is the one where people have carried the art of pursuing their common desires together to the highest perfection, and have applied this new science to the greatest number of purposes. Is this merely accident, or is there actually a connection between the principles of association and equality? Aristocratic communities[1] always contain, among a multitude of individuals who by themselves are powerless, a small number of powerful and wealthy citizens, each of whom can achieve great undertakings single-handedly. In aristocratic societies men do not need to join together in order to act, because they are strongly held together. Every wealthy and powerful citizen is, in effect, the head of a permanent and compulsory association composed of all those who are dependent upon him, or whom he makes subservient to his aims. In democratic nations, on the contrary, all the citizens are independent and weak; they can do hardly anything by themselves, and they cannot force their fellow citizens to assist them. They all are helpless, therefore, unless they voluntarily learn to help each other. If men living in democratic countries had no right or no inclination to associate for political purposes, their independence would be in great jeopardy; still, they could preserve their wealth and their enlightenment for some time to come. On the other hand, if they never acquired the habit of forming associations in ordinary life, civilization itself would be endangered. A people whose individuals lost the power of achieving great things single-handedly, but did not acquire the means of producing them together, would soon relapse into barbarism.

Unfortunately, the social conditions which make associations so necessary in democratic nations, make achieving them more difficult than elsewhere. When several members of an aristocracy agree to combine, they can do it easily. Each of them brings great strength to the partnership, so the number of its members can be very small; and consequently they may easily become acquainted, understand each other, and establish fixed regulations. The same opportunities do not occur in democratic nations, where associations must always be very large to have any power.

I am aware that many of my countrymen are not in the least embarrassed by this difficulty. They contend that the weaker and more incompetent the citizens become, the more the nation requires an able and active government, so that society as a whole may accomplish what individuals no longer can. Though they believe this solves the whole problem, I think they are mistaken. A government might take the place of some of the largest American companies—several US states have already attempted this—but what political power could ever carry out the vast number of smaller undertakings the American citizens perform every day by means of associations? It is easy to see that the time is coming when man will be less and less able to produce the most common necessities of life by himself. The task of the governing power and its efforts will therefore perpetually increase. The more it takes the place of associations, the more individuals will require its assistance, forgetting the idea of combining together. These are causes and effects which unceasingly bring about each other. Will the administration of the country ultimately assume the management of every industry that no single citizen is capable of? And if it eventually happens that land is split into an infinite number of lots, due to the extreme subdivision of property, so that it can only be cultivated by groups of farmers, will it be necessary that the head of the government leave the helm of state to become a farm-worker? The morals and the intelligence of a democratic people would be as much endangered as its business and manufactures, if the government ever wholly took over the place of private companies.

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[1] *Aristocratic communities* An "aristocracy," in the sense Tocqueville speaks of it, is a society in which government or leadership more broadly is in the hands of a ruling class, either hereditary or composed of those judged best qualified to lead.

Feelings and opinions are renewed, the heart is enlarged, and the human mind is developed by no other means than by people's reciprocal influence upon each other. I have shown that these influences are almost nonexistent in democratic countries; they must therefore be artificially created, and this can only be accomplished through associations.

When the members of an aristocratic community adopt a new opinion, or develop a new feeling, they display it on the great stage in which they are players; opinions or feelings so conspicuous to the eyes of the crowd are easily introduced into the minds or hearts of all around. In democratic countries the governing power alone is naturally in a condition to act in this manner; but it is easy to see that its action is always inadequate, and often dangerous. A government alone can no more sustain and renew the circulation of opinions and feelings among a large population, than it can control all of industry's activities. The minute a government attempts to go beyond its political sphere and embark on this new path, it becomes insupportably tyrannical, if only unintentionally. For a government can dictate only strict rules; the opinions which it favors are rigidly enforced; and it is never easy to discriminate between its advice and its commands. Worse still is the case where the government really believes itself interested in preventing the circulation of ideas. It will then stand motionless, oppressed by the weight of voluntary inaction. Governments therefore should not be the only active powers: associations ought to stand in place of those powerful private individuals that the equality of conditions has eliminated.

As soon as several of the inhabitants of the United States have taken up an opinion or a feeling which they wish to bring to the world's attention, they search for similarly minded people; and as soon as they have found each other, they combine. From that moment on they are no longer isolated individuals, but a power to be reckoned with, whose actions serve as an example, and whose language is listened to. The first time I heard in the United States that 100,000 men had publicly vowed to abstain from alcohol, it appeared to me more like a joke than a serious pledge; and I did not immediately see why these temperate citizens could not content themselves with drinking water by their own firesides. At last I understood that 100,000 Americans, alarmed by the progress of drunkenness around them, had made up their minds to support temperance. They acted in just the same way as a man of high rank who dresses very plainly in order to inspire a contempt of luxury in ordinary citizens. It is probable that if these 100,000 men had lived in France, each of them would have individually petitioned the government to watch the taverns all over the kingdom.

Nothing, in my opinion, deserves our attention more than the intellectual and moral associations of America. The political and industrial associations of that country are obvious and vivid to us; but the other associations elude our observation, or if we discover them, we understand them imperfectly, because we have hardly ever seen anything of the kind. However it must be acknowledged that they are as necessary to the American people as political and industrial associations, and perhaps more so. In democratic countries the science of association is the fundamental science; the progress of the other sciences depends upon the progress it has made. Among the laws which rule human societies there is one which seems to be more precise and clear than all others: if men are to become or remain civilized, the art of associating together must grow in proportion to the growth of equality.

Chapter 6: Of the Relation between Associations and Newspapers

When men are no longer united by firm and lasting ties, it is impossible to obtain widespread cooperation, unless you can persuade each man that it is in his self-interest to work with others voluntarily. This can be habitually and conveniently achieved only through a newspaper; nothing but a newspaper can communicate the same thought to a thousand minds at the same moment. A newspaper is an adviser you do not need to seek out, but who comes uninvited, and every day talks briefly of public affairs without distracting you from your private pursuits.

Newspapers therefore become more necessary as men become more equal, and as individualism becomes more to be feared. To suppose that they serve only to protect freedom would be to diminish their importance: they maintain civilization. I shall not deny that in democratic countries newspapers frequently lead the citizens to engage in rash undertakings; but if there were no newspapers there would be no common activity. The evil which they produce is therefore much less than that which they cure.

The effect of a newspaper is not only to suggest the same purpose to a great number of people, but also to provide means for jointly executing the plans which they may have individually conceived. The leading citizens who inhabit an aristocratic country discern each other from afar; and if they wish to unite their forces, they move towards each other, drawing a multitude of others after them. It frequently happens, by contrast, in democratic countries, that a great number of men who would like to combine cannot do so, because they are very insignificant and lost in the crowd—they cannot see, and do not know where to find, one another. A newspaper then takes up the idea or the feeling which had occurred to each of them simultaneously, but singly. All are then immediately guided towards this light; and these wandering minds, which had long sought each other in darkness, at last meet and unite.

The newspaper brought them together, and the newspaper is then necessary to keep them united. For an association among a democratic people to have any power, it must be a large body. Its members are therefore scattered over a wide area, and each of them is bound to his home by low income or the demands of work. They must therefore find the means for communicating every day without seeing each other, and for taking steps in common without having met. Thus hardly any democratic association can do without newspapers. There is consequently a necessary connection between public associations and newspapers: newspapers make associations, and associations make newspapers. And if it is correct that the number of associations will grow as the conditions of men become more equal, it is as certain that the number of newspapers increases along with the number of associations. Thus it is that in America we find at the same time the greatest number of associations and of newspapers.

Consideration of this connection between the number of newspapers and of associations leads us to discover a further connection between the state of the periodical press and the form of the administration in a country. It shows that the number of newspapers must increase as the country's administration becomes decentralized. For among democratic nations the exercise of local powers cannot be entrusted to the leading members of the community as in aristocracies. Those powers must either be abolished, or placed in the hands of very large numbers of men, who then in fact constitute an association permanently established by law for the purpose of administering the affairs of an area; and they require a newspaper, to bring to them every day, in the midst of their own petty concerns, some news of current affairs. The greater the number of local powers, the greater the number of men required by law to exercise them; and the greater this need is felt, the more profusely newspapers appear.

The extraordinary subdivision of administrative power has much more to do with the enormous number of American newspapers than the great political freedom of the country and the absolute liberty of the press. If all the inhabitants of the Union had the vote—but a vote which only extended to electing legislators in Congress—they would require only a few newspapers, because they would have to act together on only a few very important but very rare occasions. But within the scope of the great association of the nation, lesser associations for local administration have been established by law in every country, every city, and indeed in every village. The laws of the country thus compel all Americans to cooperate every day with some of their fellow citizens for a common purpose, and they all require a newspaper to inform them what all the others are doing.

In my opinion a democratic people[1] without any national representative assemblies, but with a great number of small local powers, would have, in the end, more newspapers than another people governed by a centralized administration and an elective legislation. The best explanation of the enormous circulation of the daily press in the United States seems to me to be that Americans enjoy utmost national freedom combined with local freedom of every kind. There is a prevailing opinion in France and England that the circulation of newspapers would be strongly increased by removing the taxes imposed on the press. This exaggerates the effects of such a reform. Newspapers increase in numbers, not according to their cheapness, but in proportion to the frequency the desire is felt for intercommunication and combination.

Similarly, I would attribute the increasing influence of the daily press to more general causes than those commonly offered. A newspaper can survive only by publishing sentiments or principles common to a large number of men. A newspaper therefore always represents an association which is composed of its habitual readers. This association may be more or less defined, more or less restricted, more or less numerous; but the fact that the newspaper remains in publication is proof that at least the germ of such an association exists in the minds of its readers.

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[1] *democratic people* [Tocqueville's note] I say a *democratic* people. When the administration of an aristocratic people is not centralized, the lack of newspapers is not strongly felt, because local powers are then in the hands of a very small number of men, who either act apart, or who know each other and can easily meet and come to an understanding.

This leads me to a last reflection, with which I shall conclude this chapter. The more equal men's conditions become, and the weaker individual men are, the more easily mass opinion influences them and the more difficult is it for them to hold an opinion rejected by the multitude. A newspaper represents an association; it may be said to address each of its readers in the name of all the others, and to exert its influence over them in proportion to their individual weakness. The power of the press must therefore increase as social conditions become more equal.

Chapter 7: The Relationship between Civil and Political Associations

There is only one country on the face of the earth where citizens enjoy unlimited freedom of association for political purposes. This country is the only one in the world where the continual exercise of the right of association has been introduced into civil life, and where all the advantages which civilization can confer are procured by means of this exercise. In all the countries where political associations are prohibited, civil associations are rare. It is hardly probable that this is an accident; rather, we should infer that there is a natural, and perhaps a necessary, connection between these two kinds of associations. Certain men happen to have a common interest in some concern—perhaps it involves the management of a commercial undertaking or the negotiation of an industrial contract; they meet, they combine, and thus by degrees they become familiar with the principle of association. The greater the multiplicity of small affairs, the more do men acquire facility in undertaking great projects together, even without knowing it. Civil association, therefore, facilitates political association: but, on the other hand, political association singularly strengthens and improves associations for civil purposes. Men might imagine that they can provide for their own needs in civil life, but not in politics. So when people know anything about public life, the idea of association and the wish to associate occur constantly. Whatever natural reluctance may restrain men from acting together, they will always be ready to combine for political interests. Thus political life makes the love and practice of association more general; it imparts a desire of union, and teaches the means of uniting to men who would have always lived apart.

Politics gives birth not only to a large number of associations, but to larger associations as well. In civil life it seldom happens that any one interest draws a very large number of men to act together; much skill is required to bring such an interest into existence: but in politics opportunities present themselves every day. Now it is solely in great associations that the general value of the principle of association is displayed. Citizens who are individually powerless do not very clearly anticipate the strength they can acquire by uniting together; they must be shown in order to understand. Hence it is often easier to gather a crowd for a public purpose than a few persons; while a thousand citizens do not see what interest they have in joining forces, ten thousand will be perfectly aware of it. In politics people combine for great undertakings; and the use they make of the principle of association in important affairs teaches them, in practical terms, that it is their interest to help each other in less important ones. A political association draws a number of individuals out of their own circle at the same time: however different they may be in age, mind, and fortune, it brings them nearer, and into contact. Once having met, they can always meet again.

Men can undertake few civil partnerships without risking a portion of their possessions; this is the case with all manufacturing and trading companies. If men are not familiar with the art of association and its principal rules, they are afraid when they first cooperate in this manner, since it may cost them a good deal. They therefore would prefer to deprive themselves of a powerful instrument of success, rather than to run its risks. They are, however, less reluctant to join political associations, which appear to them to be safe, because their money is not at risk. But they cannot belong to these associations for any length of time without finding out how order is maintained among a large number of men, and how they are made to advance, harmoniously and methodically, to the same object. Thus they learn to surrender their own will to the group and to make their own efforts subordinate to the common impulse—things that are no less necessary to know in civil than in political associations. Political associations may therefore be considered as large free schools, where all the members of the community go to learn the general theory of association.

But even if political association did not directly contribute to the progress of civil association, to destroy the former would be to impair the latter. When citizens can meet in public only for certain purposes, they regard such meetings as an unusual undertaking and they rarely think about it. When they are allowed to meet freely for all purposes, they ultimately look upon public association as the universal or the sole means for accomplishing their various purposes. Every new desire instantly revives the idea. The art of association then becomes, as I have said before, the fundamental science, studied and applied by all.

When some types of associations are prohibited and others allowed, it is difficult to distinguish the former from the latter. In this state of doubt men abstain from them altogether and a sort of public opinion tends to cause any association whatsoever to be regarded as a bold and almost an illicit enterprise.[1]

It is therefore a delusion to suppose that the spirit of association, when it is repressed at one point, will nevertheless display the same vigor at all others; and that if men are allowed to carry out certain undertakings in common, that is quite enough to motivate them. When the members of a community are allowed and accustomed to associate for all purposes, they will associate as readily for less as for more important ones; but if they are only allowed to associate for small affairs, they will be neither inclined nor able to do so. It does no good to leave them entirely free to engage in matters of trade: they will hardly care to exercise the rights you have granted to them; and, after having exhausted your strength in useless efforts to suppress prohibited associations, you will be surprised that you cannot persuade men to form the associations you encourage.

I do not say that there can be no civil associations in a country where political association is prohibited; for men can never live in society without embarking in some common undertakings: but I maintain that in such a country civil associations will always be few in number, poorly planned, unskillfully managed, that they will never engage in great projects, or that they will fail in executing them.

This naturally leads me to think that freedom of association in political matters is not so dangerous to public peace as is supposed; and that possibly, after having threatened society for some time, it may strengthen the state in the end. In democratic countries political associations are, so to speak, the only powerful persons who aspire to rule the state. Accordingly, the governments of our time look upon associations of this kind just as sovereigns in the Middle Ages regarded the great vassals of the Crown: they entertain a sort of instinctive hatred of them, and they fight them on all occasions. They bear, on the contrary, a natural good will to civil associations, because they readily discover that, instead of directing the minds of the community to public affairs, these institutions serve to distract them from such reflections; and that, by engaging them more and more in projects that require public peace, they avert revolutions. But these governments do not pay attention to the fact that political associations tend amazingly to multiply and to facilitate civil associations, and that in avoiding a dangerous evil they deprive themselves of an effective remedy.

When you see Americans freely and constantly forming associations for the purpose of promoting some political principle, or of getting someone elected or removed from power, you have some difficulty understanding that men who are so independent do not constantly abuse their freedom. If, on the other hand, you survey the infinite number of trading companies which are in operation in the United States, and see that Americans are everywhere always involved in the execution of important and difficult plans that the slightest revolution would throw into confusion, you will readily comprehend why they are not at all tempted to disrupt the State, nor to destroy the public peace by which they all profit.

Is it enough to observe these things separately, or should we not discover the hidden link which connects them? In their political associations, the Americans of all conditions, minds, and ages, daily acquire a general taste for association, and grow accustomed to its use. There they meet together in large numbers, they converse, they listen to each other, and they are mutually stimulated to all sorts of undertakings. Afterwards, they transfer the ideas they have thus acquired to civil life, and put them to a thousand uses. Thus it is by the enjoyment of a dangerous freedom that the Americans learn the art of rendering the dangers of freedom less formidable.

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[1] *In this state ... illicit enterprise* [Tocqueville's note] This is especially true when the executive government has a discretionary power of allowing or prohibiting associations. When certain associations are simply prohibited by law, and the courts have to punish infringements of that law, the evil is far less considerable. Then every citizen knows beforehand pretty much what to expect. He judges himself before he is judged by the law, and abstains from prohibited associations, and joins those which are legally permitted. All free nations have always admitted that the right of association might be limited by these restrictions. But if the legislature should give a man the power to determine beforehand which associations are dangerous and which are useful, and should authorize him to nip all associations in the bud or allow them to be formed, then, because nobody would be able to predict in what cases associations might be established and in what cases they might not, the spirit of association would be entirely paralyzed. The former of these arrangements—in which laws govern associations—would only attack certain associations; the latter arrangement—with power given to one person—would inflict injury on society itself. I can conceive that a regular government may have recourse to the former, but I do not concede that any government has the right to enact the latter.

If we select a certain moment in the existence of a nation, it is easy to prove that political associations disrupt the state and paralyze industry. But take the whole life of a people, and it may perhaps be easy to demonstrate that freedom of association in political matters is favorable to the prosperity and even to the peace of the community.

I said earlier that the unrestrained liberty of political association cannot be entirely assimilated to the liberty of the press. The one is at the same time less necessary and more dangerous than the other. A nation may confine it within certain limits without ceasing to be its own master; and it may sometimes be obliged to do so in order to maintain its own authority. And further on I added that it cannot be denied that the unrestrained liberty of association for political purposes is the last degree of liberty which a people can tolerate. If it does not throw them into anarchy, it perpetually brings them, as it were, to the verge of it. Thus I do not think that a nation is always at liberty to give its citizens an absolute right of association for political purposes; and I doubt that it is wise to set no limits on freedom of association in any country or in any age. Consider a nation that could not maintain peace in the community, produce respect for law, or establish a lasting government, if it did not confine the right of association within narrow limits. These goods are doubtless of great value, and I can imagine that, to acquire or to preserve them, the nation may impose upon itself severe temporary restrictions. Nevertheless, it should know at what price these goods are purchased. I can understand that it may be advisable to cut off a man's arm in order to save his life; but it would be ridiculous to assert that he will be as nimble as he was before he lost it.

Chapter 8: How Americans Combat Individualism with the Principle of Self-Interest Rightly Understood

When a few rich and powerful individuals led the world, they loved to imagine man's duties in lofty terms. They were fond of professing that it is praiseworthy to forget one's self, and that good should be done without hope of reward, as it is by God himself. Such were the standard opinions of that age of morality. I doubt whether men were more virtuous in aristocratic ages than in others; but they were constantly talking of the beauties of virtue, and its utility was studied only in secret. But since the imagination now takes less lofty flights and every man's thoughts are now centered on himself, moralists are alarmed by this ideal of self-sacrifice, and they no longer attempt to present it to the human mind. They therefore content themselves with inquiring whether the personal advantage of each member of the community does not consist in working for the good of all; and when they have hit upon some point on which private interest and public interest meet and converge, they are eager to point it out. Observations of this kind are gradually multiplied: what was only a single remark becomes a general principle; and it is held as a truth that man serves himself in serving his fellow-creatures, and that his private interest is to do good.

I have already shown, in several parts of this work, how the inhabitants of the United States almost always manage to combine their own advantage with that of their fellow citizens: my present purpose is to point out the general rule which enables them to do this. In the United States hardly anybody talks of the beauty of virtue; but they maintain that virtue is useful, and prove it every day. The American moralists do not claim that men ought to sacrifice themselves for their fellow-creatures because it is noble to make such sacrifices; but they boldly claim that such sacrifices are as necessary to him who imposes them on himself, as to him for whose sake they are made. They have found out that in their country and their age man is driven back to himself by an irresistible force; and losing all hope of stopping that force, they turn all their thoughts to following it. They therefore do not deny that every man may follow his own interest; but they endeavor to prove that it is the interest of every man to be virtuous. I shall not examine here their justifications, which would divert me from my subject: suffice it to say that they have convinced their fellow countrymen.

Montaigne said long ago: "Were I not to follow the straight road for its straightness, I should follow it for having found by experience that in the end it is commonly the happiest and most useful track." The doctrine of interest rightly understood is not new, then. But among Americans of our time it finds universal acceptance: it has become popular there; you may notice it at the root of all their actions, you will notice it in everything they say. It is as often to be encountered on the lips of a poor man as a rich one. In Europe the principle of interest is much cruder than it is in America, but at the same time it is less common, and especially it is less publicized. Among us, men still constantly pretend great self-denial which they no longer feel. The Americans, on the contrary, are fond of explaining almost all the actions of their lives by the principle of interest rightly understood; they complacently show how an enlightened regard for themselves constantly prompts them to assist each other, and inclines them willingly to sacrifice a portion of their time and property to the welfare of the state. In this respect I think they frequently fail to do themselves justice; for in the United States, as well as elsewhere, people are sometimes seen to give way to those disinterested and spontaneous impulses which are natural to man; but the Americans seldom admit that they yield to emotions of this kind; they are more anxious to do honor to their philosophy than to themselves.

I might here pause, without attempting to pass judgment on what I have described. The extreme difficulty of the subject would be my excuse, but I shall not avail myself of it; and I would prefer that my readers, clearly perceiving my purpose, should disagree with me than that I should leave them in suspense.

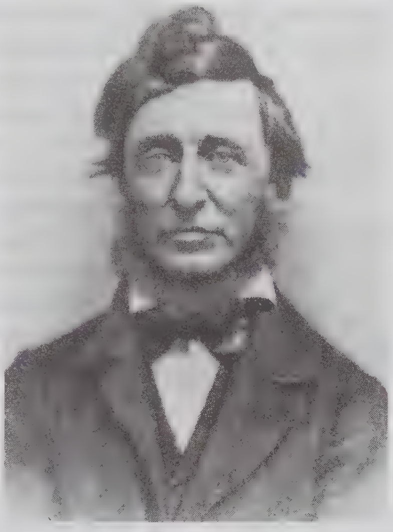
The principle of interest rightly understood is not a lofty one, but it is clear and sure. It does not aim at a great goal, but it attains the goals it has without excessive effort. Since it lies within everyone's capacities, everyone can learn and remember it without difficulty. By its admirable conformity to human weaknesses, it easily obtains great prominence; and this prominence is not precarious, since the principle balances one personal interest with another, and uses the very same instrument that excites the passions to direct them. The principle of interest, rightly understood, produces no great acts of self-sacrifice, but it suggests daily small acts of self-denial. By itself it is not sufficient to make a man virtuous, but it disciplines a number of citizens in habits of consistency, temperance, moderation, foresight, self-command; and, if it does not lead men straight to virtue by the will, it gradually draws them in that direction by their habits. If the principle of interest rightly understood were to sway the whole moral world, extraordinary virtues would doubtless be rarer; but I think that gross depravity would then also be less common. The principle of interest rightly understood perhaps prevents some men from rising far above the general level; but a great number of other men, who were falling far below it, are caught and restrained by it. Observe a few individuals, they are lowered by it; survey mankind, it is raised. I am not afraid to say that the principle of interest, rightly understood, appears to me the best suited of all philosophical theories to the wants of men of our time, and that I regard it as their chief remaining security against themselves. The minds of the moralists of our age should therefore turn towards it; even should they judge it to be incomplete, it must nevertheless be adopted as necessary.

I do not think that, on the whole, there is more egotism among us than in America; the only difference is that there it is enlightened—here it is not. Americans will sacrifice a portion of their private interests to preserve the rest; we try to preserve everything, and often we lose it all. Everybody I see about me seems bent on teaching their contemporaries, by principle and example, that what is useful is never wrong. Will nobody attempt to make them understand how what is right may be useful? No power on earth can prevent the increasing equality of conditions from prompting the human mind to seek out what is useful, or from leading every member of the community to be self-interested. It must therefore be expected that personal interest will become, more than ever, the principal, if not the sole, origin of men's actions; but it remains to be seen how each man will understand his personal interest. If the members of a community, as they become more equal, become more ignorant and coarse, it is difficult to predict what stupid lengths their egotism may lead them to; and no one can predict to what disgrace and wretchedness they would plunge themselves for fear that they should have to sacrifice something of their own well-being to the prosperity of their fellow-creatures. I do not think that the system of interest, as it is professed in America, is, in all its parts, self-evident; but it contains a great number of truths that are so evident that anyone who is educated must see them. Educate them, then; for the age of implicit self-sacrifice and instinctive virtues is already behind us, and the time is fast approaching when freedom, public peace, and social order itself will not be able to exist without education.

HENRY DAVID THOREAU

(1817 – 1862)

During a two year period from 1845 to 1847, Henry David Thoreau conducted a famous experiment at Walden Pond near Concord, Massachusetts; he lived in near isolation and as self-sufficiently as possible. This experience led to his two most famous publications, *Civil Disobedience* (1849) and *Walden* (1854). In the earlier work he argued for the legitimacy and, in some cases, the necessity of individual citizens resisting the demands of government. In the later work he presented a wide range of social, political, and economic thoughts in the course of describing his life in the woods. While he published several dozen other pieces of writing, Thoreau's reputation in political philosophy and literature rests primarily on these two works; they are still widely read and studied and continue to be important influences on contemporary social and political thought.



Thoreau was born on July 12, 1817 in Concord and would live his entire life in or near that small town. His education at Concord Academy and later at Harvard in nearby Cambridge exposed him to Immanuel Kant, which helped to shape the newly developing American transcendentalism of Thoreau and his mentor, Ralph Waldo Emerson. American transcendentalism is notoriously difficult to define, but arose largely as a reaction to Lockean empiricism—roughly, the view that all knowledge comes from sense experience. The transcendentalists thought that the mind could apprehend spiritual truths without having to derive such truths from information received through the senses. They rejected the authority of past institutions, stressing individualism in faith and social affairs. Though in full flower only from the mid 1830s to late 1840s, American transcendentalism has had a continuing influence on American politics, philosophy (especially through the American pragmatists William James and John Dewey), and literature.

After graduating from Harvard, Thoreau opened a school with his brother John in 1838. But this effort was cut short by the death of John from tetanus resulting from a minor cut. Thoreau then worked for Ralph Waldo Emerson and later for his brother William Emerson, primarily as a tutor for their children. During this time Thoreau began to write and publish both essays and poetry in Emerson's publication, *The Dial.* But by 1845 Thoreau decided he wanted to try something different. He built his own home on property owned by Emerson, surviving on what he could produce for himself.

In 1846 Thoreau was arrested for his refusal to pay the poll tax; he was unwilling to pay taxes to a government that condoned the institute of slavery and that was engaging in what he saw as an unjust war against Mexico. He only spent one night in jail and was released when, against his wishes, his aunt paid his taxes for him. The event inspired him to write *Civil Disobedience* (originally entitled *Resistance to Civil Government*). In that work, Thoreau expressed his general skepticism about the legitimacy of any form of government, and more specifically his concern that citizens too often substitute the judgment of their leaders for their own. He defended action in support of justice, even if that action went against the laws of the land.

After his release from jail, Thoreau returned to his home by Walden Pond, where he lived until 1847. A further seven years elapsed before he published his book about his time there. *Walden* was part autobiography, part novel, and part philosophical treatise. Throughout, he emphasizes the values of simplicity, self-reliance, and personal responsibility, and extols the value of nature itself. The book remains highly regarded and widely studied both as a literary work and as a philosophical one.

In the years following the publication of *Walden*, Thoreau continued to write and travel throughout New England. But he suffered increasingly from the tuberculosis he had contracted in 1835, and from 1859 on he lived largely as an invalid. Henry David Thoreau died on May 6, 1862 at the age of forty-four.

Civil Disobedience continues to be seen by both modern anarchists and libertarians as a work of vital importance. His argument for the legitimacy of resistance to government when it violates principles of justice has been a factor in many social revolutions in the years since Thoreau's death. Gandhi's civil disobedience in the cause of Indian independence and Martin Luther King, Jr.'s activism in support of civil rights for all Americans both have strong roots in Thoreau's thoughts and writings. His ideas have also been credited with influencing such diverse groups as the British labor movement and the counterculture of the 1960s and 1970s.

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from Civil Disobedience (1849)

I heartily accept the motto, "That government is best which governs least"; and I should like to see it acted up to more rapidly and systematically. Carried out, it finally amounts to this, which also I believe—"That government is best which governs not at all"; and when men are prepared for it, that will be the kind of government which they will have. Government is at best but an expedient; but most governments are usually, and all governments are sometimes, inexpedient. The objections which have been brought against a standing[1] army, and they are many and weighty, and deserve to prevail, may also at last be brought against a standing government. The standing army is only an arm of the standing government. The government itself, which is only the mode which the people have chosen to execute their will, is equally liable to be abused and perverted before the people can act through it. Witness the present Mexican war,[2] the work of comparatively a few individuals using the standing government as their tool; for in the outset, the people would not have consented to this measure.

This American government—what is it but a tradition, though a recent one, endeavoring to transmit itself unimpaired to posterity, but each instant losing some of its integrity? It has not the vitality and force of a single living man; for a single man can bend it to his will. It is a sort of wooden gun[3] to the people themselves. But it is not the less necessary for this; for the people must have some complicated machinery or other, and hear its din, to satisfy that idea of government which they have. Governments show thus how successfully men can be imposed upon, even impose on themselves, for their own advantage. It is excellent, we must all allow. Yet this government never of itself furthered any enterprise, but by the alacrity[4] with which it got out of its way. *It* does not keep the country free. *It* does not settle the West. *It* does not educate. The character inherent in the American people has done all that has been accomplished; and it would have done somewhat more, if the government had not sometimes got in its way. For government is an expedient, by which men would fain succeed in letting one another alone; and, as has been said, when it is most expedient, the governed are most let alone by it. Trade and commerce, if they were not made of India rubber, would never manage to bounce over obstacles which legislators are continually putting in their way; and if one were to judge these men wholly by the effects of their actions and not partly by their intentions, they would deserve to be classed and punished with those mischievous persons who put obstructions on the railroads.

But, to speak practically and as a citizen, unlike those who call themselves no-government men, I ask for, not at once no government, but *at once* a better government. Let every man make known what kind of government would command his respect, and that will be one step toward obtaining it.

After all, the practical reason why, when the power is once in the hands of the people, a majority are permitted, and for a long period continue, to rule is not because they are most likely to be in the right, nor because this seems fairest to the minority, but because they are physically the strongest. But a government in which the majority rule in all cases can not be based on justice, even as far as men understand it. Can there not be a government in which the majorities do not virtually decide right and wrong, but conscience?—in which majorities decide only those questions to which the rule of expediency is applicable? Must the citizen ever for a moment, or in the least degree, resign his conscience to the legislator? Why has every man a conscience then? I think that we should be men first, and subjects afterward. It is not desirable to cultivate a respect for the law, so much as for the right. The only obligation which I have a right to assume is to do at any time what I think right. It is truly enough said that a corporation[1] has no conscience; but a corporation of conscientious men is a corporation with a conscience. Law never made men a whit more just; and, by means of their respect for it, even the well-disposed are daily made the agents on injustice. A common and natural result of an undue respect for the law is, that you may see a file of soldiers, colonel, captain, corporal, privates, powder-monkeys,[2] and all, marching in admirable order over hill and dale to the wars, against their wills, aye, against their common sense and consciences, which makes it very steep marching indeed, and produces a palpitation of the heart. They have no doubt that it is a damnable business in which they are concerned; they are all peaceably inclined. Now, what are they? Men at all? or small movable forts and magazines,[3] at the service of some unscrupulous man in power? Visit the Navy Yard, and behold a marine, such a man as an American government can make, or such as it can make a man with its black arts—a mere shadow and reminiscence of humanity, a man laid out alive and standing, and already, as one may say, buried under arms with funeral accompaniment, though it may be,

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[1] *standing* Permanently established (as opposed to temporary, for the duration of service for a particular purpose).

[2] *Mexican war* Mexican-American war, a seventeen-month long war between the United States and Mexico, beginning in 1846 and ending with Mexico being forced to recognize Texas as part of the US. It also ceded California and New Mexico to the US in 1848 under the Treaty of Guadalupe Hidalgo for $15,000,000. Critics of the war have argued that it was deliberately provoked by the US to serve its territorial ambitions.

[3] *wooden gun* Something weak and ineffective.

[4] *but by the alacrity* Except by the speedy readiness.

> Not a drum was heard, not a funeral note,
> As his corpse to the rampart we hurried;
> Not a soldier discharged his farewell shot
> O'er the grave where our hero we buried.[4]

The mass of men serve the state thus, not as men mainly, but as machines, with their bodies. They are the standing army, and the militia, jailers, constables, *posse comitatus*,[5] etc. In most cases there is no free exercise whatever of the judgment or of the moral sense; but they put themselves on a level with wood and earth and stones; and wooden men can perhaps be manufactured that will serve the purpose as well. Such command no more respect than men of straw or a lump of dirt. They have the same sort of worth only as horses and dogs. Yet such as these even are commonly esteemed good citizens. Others—as most legislators, politicians, lawyers, ministers, and office-holders—serve the state chiefly with their heads; and, as the rarely make any moral distinctions, they are as likely to serve the devil, without intending it, as God. A very few—as heroes, patriots, martyrs, reformers in the great sense, and men—serve the state with their consciences also, and so necessarily resist it for the most part; and they are commonly treated as enemies by it. A wise man will only be useful as a man, and will not submit to be "clay," and "stop a hole to keep the wind away," but leave that office to his dust at least:

> I am too high born to be propertied,
> To be a second at control,
> Or useful serving-man and instrument
> To any sovereign state throughout the world.[6]

He who gives himself entirely to his fellow men appears to them useless and selfish; but he who gives himself partially to them is pronounced a benefactor and philanthropist.

How does it become a man to behave toward the American government today? I answer, that he cannot without disgrace be associated with it. I cannot for an instant recognize that political organization as my government which is the *slave*'s government also.

All men recognize the right of revolution; that is, the right to refuse allegiance to, and to resist, the government, when its tyranny or its inefficiency are great and unendurable. But almost all say that such is not the case now. But such was the case, they think, in the Revolution of '75.[7] If one were to tell me that this was a bad government because it taxed certain foreign commodities brought to its ports, it is most probable that I should not make an ado about it, for I can do without them. All machines have their friction; and possibly this does enough good to counter-balance the evil. At any rate, it is a great evil to make a stir about it. But when the friction comes to have its machine, and oppression and robbery are organized, I say, let us not have such a machine any longer. In other words, when a sixth of the population of a nation which has undertaken to be the refuge of liberty are slaves, and a whole country is unjustly overrun and conquered by a foreign army, and subjected to military law, I think that it is not too soon for honest men to rebel and revolutionize. What makes this duty the more urgent is that fact that the country so overrun is not our own, but ours is the invading army.

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[1] *corporation* Group acting as a single individual.

[2] *powder-monkeys* Soldiers whose job it is to carry explosives.

[3] *magazines* Storehouses for military supplies.

[4] *Not a drum … was buried* From "The Burial of Sir John Moore after Corunna" by Charles Wolfe (1791–1823).

[5] *posse comitatus* Latin: *power of the county*: temporary police force, recruited from the general population, known for short (in Western films) as a *posse*.

[6] *I am too … the world* Shakespeare, *The Life and Death of King John*, 5.2.79–82. (Shakespeare wrote "secondary," where Thoreau has "a second.")

[7] *Revolution of '75* American War of Independence, 1775–83.

Paley, a common authority with many on moral questions, in his chapter on the "Duty of Submission to Civil Government,"[1] resolves all civil obligation into expediency; and he proceeds to say that "so long as the interest of the whole society requires it, that is, so long as the established government cannot be resisted or changed without public inconveniency, it is the will of God, that the established government be obeyed, and no longer. This principle being admitted, the justice of every particular case of resistance is reduced to a computation of the quantity of the danger and grievance on the one side, and of the probability and expense of redressing it on the other." Of this, he says, every man shall judge for himself. But Paley appears never to have contemplated those cases to which the rule of expediency[2] does not apply, in which a people, as well and an individual, must do justice, cost what it may. If I have unjustly wrested a plank from a drowning man, I must restore it to him though I drown myself. This, according to Paley, would be inconvenient. But he that would save his life, in such a case, shall lose it. This people must cease to hold slaves, and to make war on Mexico, though it cost them their existence as a people.

In their practice, nations agree with Paley; but does anyone think that Massachusetts does exactly what is right at the present crisis?

> A drab of state, a cloth-o'-silver slut,
> To have her train borne up, and her soul trail in
> the dirt.[3]

Practically speaking, the opponents to a reform in Massachusetts are not a hundred thousand politicians at the South, but a hundred thousand merchants and farmers here, who are more interested in commerce and agriculture than they are in humanity, and are not prepared to do justice to the slave and to Mexico, *cost what it may*. I quarrel not with far-off foes, but with those who, near at home, co-operate with, and do the bidding of, those far away, and without whom the latter would be harmless. We are accustomed to say, that the mass of men are unprepared; but improvement is slow, because the few are not as materially wiser or better than the many. It is not so important that many should be good as you, as that there be some absolute goodness somewhere; for that will leaven the whole lump.[4] There are thousands who are in opinion opposed to slavery and to the war, who yet in effect do nothing to put an end to them; who, esteeming themselves children of Washington and Franklin, sit down with their hands in their pockets, and say that they know not what to do, and do nothing; who even postpone the question of freedom to the question of free trade, and quietly read the prices-current[5] along with the latest advices from Mexico, after dinner, and, it may be, fall asleep over them both. What is the price-current of an honest man and patriot today? They hesitate, and they regret, and sometimes they petition; but they do nothing in earnest and with effect. They will wait, well disposed, for other to remedy the evil, that they may no longer have it to regret. At most, they give up only a cheap vote, and a feeble countenance and Godspeed,[6] to the right, as it goes by them. There are nine hundred and ninety-nine patrons of virtue to one virtuous man. But it is easier to deal with the real possessor of a thing than with the temporary guardian of it.

All voting is a sort of gaming, like checkers or backgammon, with a slight moral tinge to it, a playing with right and wrong, with moral questions; and betting naturally accompanies it. The character of the voters is not staked. I cast my vote, perchance, as I think right; but I am not vitally concerned that that right should prevail. I am willing to leave it to the majority. Its obligation, therefore, never exceeds that of expediency. Even voting for the right is doing nothing for it. It is only expressing to men feebly your desire that it should prevail. A wise man will not leave the right to the mercy of chance, nor wish it to prevail through the power of the majority. There is but little virtue in the action of masses of men. When the majority shall at length vote for the abolition of slavery, it will be because they are indifferent to slavery, or because there is but little slavery left to be abolished by their vote. They will then be the only slaves. Only his vote can hasten the abolition of slavery who asserts his own freedom by his vote.

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[1] *Duty of Submission to Civil Government* William Paley, *The Principles of Moral and Political Philosophy* (1785), Book 6, Section 3: "The Duty of Submission to Civil Government Explained." In the original, Paley adds, after the word "God," the parenthetical remark, "(which *will* universally determine our duty)."

[2] *expediency* Based on practical (as opposed to moral) considerations.

[3] *A drab … dirt* Cyril Tourneur, *The Revenger's Tragaedie* (1607), Act V. Thoreau gives a modernized version of the original:

> A drab of State, a cloath, a siluery slut!
> To haue her traine borne up, and her soule traile
> I' th' durt—Great!—

[4] *leaven the whole lump* Literally, alter the whole lump (of dough) by the action of yeast; figuratively, in this case: transform the whole matter.

[5] *prices-current* List of current prices of commodities.

[6] *Godspeed* Wish for a pleasant journey.

I hear of a convention to be held at Baltimore, or elsewhere, for the selection of a candidate for the Presidency, made up chiefly of editors, and men who are politicians by profession; but I think, what is it to any independent, intelligent, and respectable man what decision they may come to? Shall we not have the advantage of this wisdom and honesty, nevertheless? Can we not count upon some independent votes? Are there not many individuals in the country who do not attend conventions? But no: I find that the respectable man, so called, has immediately drifted from his position, and despairs of his country, when his country has more reasons to despair of him. He forthwith adopts one of the candidates thus selected as the only available one, thus proving that he is himself available for any purposes of the demagogue. His vote is of no more worth than that of any unprincipled foreigner or hireling[1] native, who may have been bought. O for a man who is a man, and my neighbor says, has a bone is his back which you cannot pass your hand through! Our statistics are at fault: the population has been returned too large. How many men are there to a square thousand miles in the country? Hardly one. Does not America offer any inducement for men to settle here? The American has dwindled into an Odd Fellow[2]—one who may be known by the development of his organ of gregariousness, and a manifest lack of intellect and cheerful self-reliance; whose first and chief concern, on coming into the world, is to see that the almshouses[3] are in good repair; and, before yet he has lawfully donned the virile garb,[4] to collect a fund to the support of the widows and orphans that may be; who, in short, ventures to live only by the aid of the Mutual Insurance company, which has promised to bury him decently.

It is not a man's duty, as a matter of course, to devote himself to the eradication of any, even to most enormous, wrong; he may still properly have other concerns to engage him; but it is his duty, at least, to wash his hands of it, and, if he gives it no thought longer, not to give it practically his support. If I devote myself to other pursuits and contemplations, I must first see, at least, that I do not pursue them sitting upon another man's shoulders. I must get off him first, that he may pursue his contemplations too. See what gross inconsistency is tolerated. I have heard some of my townsmen say, "I should like to have them order me out to help put down an insurrection of the slaves, or to march to Mexico—see if I would go"; and yet these very men have each, directly by their allegiance, and so indirectly, at least, by their money, furnished a substitute.[5] The soldier is applauded who refuses to serve in an unjust war by those who do not refuse to sustain the unjust government which makes the war; is applauded by those whose own act and authority he disregards and sets at naught; as if the state were penitent to that degree that it hired one to scourge[6] it while it sinned, but not to that degree that it left off sinning for a moment. Thus, under the name of Order and Civil Government, we are all made at last to pay homage to and support our own meanness. After the first blush of sin comes its indifference; and from immoral it becomes, as it were, unmoral, and not quite unnecessary to that life which we have made.

The broadest and most prevalent error requires the most disinterested[7] virtue to sustain it. The slight reproach to which the virtue of patriotism is commonly liable, the noble are most likely to incur. Those who, while they disapprove of the character and measures of a government, yield to it their allegiance and support are undoubtedly its most conscientious supporters, and so frequently the most serious obstacles to reform. Some are petitioning the State to dissolve the Union, to disregard the requisitions of the President. Why do they not dissolve it themselves—the union between themselves and the State—and refuse to pay their quota into its treasury? Do not they stand in same relation to the State that the State does to the Union? And have not the same reasons prevented the State from resisting the Union which have prevented them from resisting the State?

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[1] *hireling* Person working only for money.

[2] *Odd Fellow* Member of a secret society with initiatory rites and mystic signs of recognition, organized for social and benevolent purposes.

[3] *almshouses* Publicly funded institutions for housing those in poverty.

[4] *before yet he has lawfully donned the virile garb* That is, before he has become a full adult.

[5] *substitute* At this time it was possible to pay someone to take one's place in the military.

[6] *scourge* Whip (for the purpose of obtaining absolution from sin).

[7] *disinterested* Unbiased, unmoved by self-interest.

How can a man be satisfied to entertain an opinion merely, and enjoy it? Is there any enjoyment in it, if his opinion is that he is aggrieved? If you are cheated out of a single dollar by your neighbor, you do not rest satisfied with knowing you are cheated, or with saying that you are cheated, or even with petitioning him to pay you your due; but you take effectual steps at once to obtain the full amount, and see to it that you are never cheated again. Action from principle, the perception and the performance of right, changes things and relations; it is essentially revolutionary, and does not consist wholly with anything which was. It not only divided States and churches, it divides families; aye, it divides the individual, separating the diabolical in him from the divine.

Unjust laws exist: shall we be content to obey them, or shall we endeavor to amend them, and obey them until we have succeeded, or shall we transgress them at once? Men, generally, under such a government as this, think that they ought to wait until they have persuaded the majority to alter them. They think that, if they should resist, the remedy would be worse than the evil. But it is the fault of the government itself that the remedy is worse than the evil. It makes it worse. Why is it not more apt to anticipate and provide for reform? Why does it not cherish its wise minority? Why does it cry and resist before it is hurt? Why does it not encourage its citizens to put out its faults, and do better than it would have them? Why does it always crucify Christ and excommunicate Copernicus and Luther, and pronounce Washington and Franklin rebels?

One would think, that a deliberate and practical denial of its authority was the only offense never contemplated by its government; else, why has it not assigned its definite, its suitable and proportionate, penalty? If a man who has no property refuses but once to earn nine shillings for the State, he is put in prison for a period unlimited by any law that I know, and determined only by the discretion of those who put him there; but if he should steal ninety times nine shillings from the State, he is soon permitted to go at large again.

If the injustice is part of the necessary friction of the machine of government, let it go, let it go: perchance it will wear smooth—certainly the machine will wear out. If the injustice has a spring, or a pulley, or a rope, or a crank, exclusively for itself, then perhaps you may consider whether the remedy will not be worse than the evil; but if it is of such a nature that it requires you to be the agent of injustice to another, then I say, break the law. Let your life be a counter-friction to stop the machine. What I have to do is to see, at any rate, that I do not lend myself to the wrong which I condemn.

As for adopting the ways which the State has provided for remedying the evil, I know not of such ways. They take too much time, and a man's life will be gone. I have other affairs to attend to. I came into this world, not chiefly to make this a good place to live in, but to live in it, be it good or bad. A man has not everything to do, but something; and because he cannot do everything, it is not necessary that he should be petitioning the Governor or the Legislature any more than it is theirs to petition me; and if they should not hear my petition, what should I do then? But in this case the State has provided no way: its very Constitution is the evil. This may seem to be harsh and stubborn and unconciliatory; but it is to treat with the utmost kindness and consideration the only spirit that can appreciate or deserves it. So is all change for the better, like birth and death, which convulse the body.

I do not hesitate to say, that those who call themselves Abolitionists should at once effectually withdraw their support, both in person and property, from the government of Massachusetts, and not wait till they constitute a majority of one, before they suffer the right to prevail through them. I think that it is enough if they have God on their side, without waiting for that other one. Moreover, any man more right than his neighbors constitutes a majority of one already.

I meet this American government, or its representative, the State government, directly, and face to face, once a year—no more—in the person of its tax-gatherer; this is the only mode in which a man situated as I am necessarily meets it; and it then says distinctly, recognize me; and the simplest, the most effectual, and, in the present posture of affairs, the indispensable mode of treating with it on this head, of expressing your little satisfaction with and love for it, is to deny it then. My civil neighbor, the tax-gatherer, is the very man I have to deal with—for it is, after all, with men and not with parchment that I quarrel—and he has voluntarily chosen to be an agent of the government. How shall he ever know well what he is and does as an officer of the government, or as a man, until he is obliged to consider whether he will treat me, his neighbor, for whom he has respect, as a neighbor and well-disposed man, or as a maniac and disturber of the peace, and see if he can get over this obstruction to his neighborliness without a ruder and more impetuous thought or speech corresponding with his action. I know this well, that if one thousand, if one hundred, if ten men whom I could name—if ten honest men only—aye, if *one* honest man, in this State of Massachusetts, ceasing to hold slaves, were actually to withdraw from this co-partnership, and be locked up in the county jail therfor, it would be the abolition of slavery in America. For it matters not how small the beginning may seem to be: what is once well done is done forever. But we love better to talk about it: that we say is our mission. Reform keeps many scores of newspapers in its service, but not one man. If my esteemed neighbor, the State's ambassador, who will devote his days to the settlement of the question of human rights in the Council Chamber, instead of being threatened with the prisons of Carolina, were to sit down the prisoner of Massachusetts, that State which is so anxious to foist the sin of slavery upon her sister—though at present she can discover only an act of inhospitality to be the ground of a quarrel with her—the Legislature would not wholly waive the subject of the following winter.

Under a government which imprisons unjustly, the true place for a just man is also a prison. The proper place today, the only place which Massachusetts has provided for her freer and less despondent spirits, is in her prisons, to be put out and locked out of the State by her own act, as they have already put themselves out by their principles. It is there that the fugitive slave, and the Mexican prisoner on parole, and the Indian come to plead the wrongs of his race should find them; on that separate but more free and honorable ground, where the State places those who are not with her, but against her—the only house in a slave State in which a free man can abide with honor. If any think that their influence would be lost there, and their voices no longer afflict the ear of the State, that they would not be as an enemy within its walls, they do not know by how much truth is stronger than error, nor how much more eloquently and effectively he can combat injustice who has experienced a little in his own person. Cast your whole vote, not a strip of paper merely, but your whole influence. A minority is powerless while it conforms to the majority; it is not even a minority then; but it is irresistible when it clogs by its whole weight. If the alternative is to keep all just men in prison, or give up war and slavery, the State will not hesitate which to choose. If a thousand men were not to pay their tax bills this year, that would not be a violent and bloody measure, as it would be to pay them, and enable the State to commit violence and shed innocent blood. This is, in fact, the definition of a peaceable revolution, if any such is possible. If the tax-gatherer, or any other public officer, asks me, as one has done, "But what shall I do?" my answer is, "If you really wish to do anything, resign your office." When the subject has refused allegiance, and the officer has resigned from office, then the revolution is accomplished. But even suppose blood shed when the conscience is wounded? Through this wound a man's real manhood and immortality flow out, and he bleeds to an everlasting death. I see this blood flowing now.

[…]

The authority of government, even such as I am willing to submit to—for I will cheerfully obey those who know and can do better than I, and in many things even those who neither know nor can do so well—is still an impure one: to be strictly just, it must have the sanction and consent of the governed. It can have no pure right over my person and property but what I concede to it. The progress from an absolute to a limited monarchy, from a limited monarchy to a democracy, is a progress toward a true respect for the individual. Even the Chinese philosopher[1] was wise enough to regard the individual as the basis of the empire. Is a democracy, such as we know it, the last improvement possible in government? Is it not possible to take a step further towards recognizing and organizing the rights of man? There will never be a really free and enlightened State until the State comes to recognize the individual as a higher and independent power, from which all its own power and authority are derived, and treats him accordingly. I please myself with imagining a State at last which can afford to be just to all men, and to treat the individual with respect as a neighbor; which even would not think it inconsistent with its own repose if a few were to live aloof from it, not meddling with it, nor embraced by it, who fulfilled all the duties of neighbors and fellow men. A State which bore this kind of fruit, and suffered it to drop off as fast as it ripened, would prepare the way for a still more perfect and glorious State, which I have also imagined, but not yet anywhere seen.

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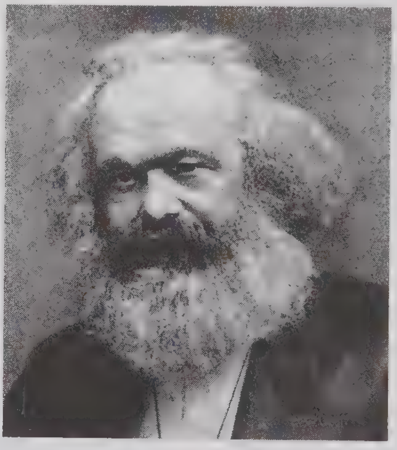
[1] *Chinese philosopher* Confucius (551–479 BCE).

KARL MARX
(1818 – 1883) and
FRIEDRICH ENGELS
(1820 – 1895)

Who Were Karl Marx and Friedrich Engels?

Karl Heinrich Marx was born in 1818 in the town of Trier in the Rhineland, a region of Prussia that lies next to the French border and is today part of Germany. Both his parents were Jewish, descended from a long line of rabbis and Jewish intellectuals; they were among the first generation of German Jews to enjoy equal legal status with Christians and to be granted free choice of residence and profession. The Rhineland had been under French rule during the Napoleonic period, from 1792 until 1815, and Marx's father Heinrich had also benefited from the relatively enlightened French regime: he had used these opportunities to forge a successful career as a respected lawyer. However, after the restoration of Prussian power in Trier in 1815, Marx's father had felt obliged to convert himself and his family to Lutheranism in order to protect his career, and so Marx was not brought up as a Jew.



Karl Marx

Marx's father wanted him to become a lawyer, but Marx was a rowdy, rebellious child and, as a young man, chose instead to spend his time studying philosophy and history, dueling, and writing romantic verses to his childhood sweetheart, the daughter of his neighbor, Jenny von Westphalen (whom he eventually married in 1843). From 1835 to 1841 Marx studied at the universities of Bonn (where he spent a year studying law) and Berlin, where he was exposed to, and heavily influenced by, the idealist philosophy of G.W.F. Hegel. Marx's early writings show a preoccupation with the notion of human self-realization through the struggle for freedom, and a view of the nature of reality as turbulently changing—both themes which find resonance in Hegel. However, like many contemporary "Young Hegelians," Marx found the Hegelian system, as it was then taught in the Prussian universities, to be politically and religiously much too conservative.

In 1841 Marx successfully submitted a doctoral dissertation (on Greek philosophy) to the university of Jena, but—because his political radicalism made him effectively unhireable in the contemporary political climate—he quickly gave up any prospect of an academic career. Instead, he became a journalist for a liberal newspaper in Cologne, the *Rheinische Zeitung*, and in short order became its editor. Under Marx, the paper went from cautious criticism of the government to a more radical critique of the prevailing conditions, especially issues of economic justice. Inevitably, the paper was first heavily censored and then, in 1843, shut down by the Prussian authorities; at this point Marx and his new wife left for the more bohemian city of Paris. There Marx worked as a journalist for another radical publication, the *Deutsch-Französische Jahrbücher* [*German-French Annals*], and realizing that he knew little about the economic issues which he saw to be politically so significant, threw himself into the study of political economy. Even before these studies began, however, Marx was already—like many of his compatriots—politically left-wing in a way which could loosely be called "communist": he was convinced of the need for the "cooperative" rather than individual control of economic resources, and was ferociously concerned about the need to alleviate the living conditions of the swelling numbers of urban poor.

In 1845 pressure from the Prussian government caused Marx to be expelled from France, and he and his family moved to Brussels. There he developed a close friendship, begun in France, with Friedrich Engels, the man who was to be Marx's most important intellectual collaborator, supporter, and friend (indeed, the only lasting friend that Marx ever had). Engels was born in 1820 in Barmen, near Düsseldorf. His family were wealthy mill owners in the rapidly industrializing Ruhr valley in northwest Germany, and although Engels had hoped for a career in literature his father insisted that he leave school at seventeen in order to work for the family firm. He worked first in a local factory, then in an export office in the port city of Bremen, and finally as an accountant for the English branch of the firm Ermen and Engels. Thus, from the time he was a young man, Engels saw first-hand the profound social changes brought about by the introduction of new methods of production in the textile industry. Although he never formally attended university, he did sit in on some lectures at Berlin university while he was doing his spell of compulsory military service and, through his exposure to the radical democratic movement, acquired a working knowledge of Hegelian philosophy. He worked for the *Rheinische Zeitung* while Marx was its editor, writing articles for it from Manchester, England, where he was employed by the family firm, and where he was appalled to witness the living conditions of the English working class. In 1844 he wrote the impassioned *Condition of the Working Classes in England*. He also wrote a critical study of the standard positions in political economy—a work which greatly impressed Marx and directly intersected with his interests at the time. After Engels' return to Germany in 1844, the two began collaborating on writings, speeches, and debates intended to spread their radical ideas among workers and intellectuals. Their most important publication of this period was the *Communist Manifesto*.

1848, the year of the publication of the *Communist Manifesto*, was a year of revolution in Europe: most of the countries of Europe (the notable exceptions being Britain, Belgium, and Russia) underwent a spasm of social upheaval in which old, aristocratic regimes fell and were replaced (briefly) by bold, new republican governments. Marx and Engels, in their different ways, attempted to play a role in this revolutionary process: Marx, now expelled from Belgium for his activism, returned to Cologne and started up a new radical broadsheet, the *Neue Rheinische Zeitung*, whose goal was to inspire and educate the revolutionary leaders (along the lines of the *Communist Manifesto*); Engels was an officer in a short-lived military uprising in the German region of Baden. Within a matter of months, however, the upheaval was over and (everywhere in Europe except France), the new democratic, republican regimes began to collapse and the old order reasserted itself. Marx and his associates were tried in a Cologne court for charges of inciting revolt and, although Marx successfully defended himself against the indictment, he was nevertheless exiled from Prussian territory in 1849. As a result, Marx and Engels emigrated permanently to England: Marx, to live and write in London, and Engels to work for his family firm in Manchester.

Conditions were extremely hard for the Marx family, especially for the first decade or so of their lives in London. Marx was unwilling to take work that would interfere with his writing, and when he did seek stable employment he was unable to get it. (At one point he applied for a job as a railway clerk, but was unsuccessful because of the—now notorious—illegibility of his handwriting.) He and his family—his wife, her servant, and six children—subsisted on financial gifts from family and friends and the income from Marx's occasional freelance journalism (mostly as a European correspondent for the *New York Tribune*, for which he was paid £1 per article). Their main financial benefactor was Engels, who sent them grants and allowances taken from his own income and the money from his investments: nevertheless, the Marx household lived in relative poverty for many years, enduring poor housing and bad food. Three of Marx's children died young, in part because of these hard conditions, and his own health suffered a collapse from which it never fully recovered.[1]

Meanwhile, Marx was single-mindedly devoting his life to the cause of ending what he saw as the serious, and increasing, inequalities and exploitation inherent in capitalist society. His role in doing this, he thought, was to formulate a theoretical framework that would reveal the true state of things to the masses of workers and that, by doing so, would both incite and guide the impending revolutionary replacement of capitalism by communism. He saw himself mainly as an "ideas man" and as a publicist for the communist movement, rather than as an organizer or leader (and indeed, during his lifetime, his personal political influence was always quite small). He spent ten hours a day, most days, in the Reading Room of the British Museum, conducting research and writing; after returning home, he would often continue to write late into the night. His main work during these years was a massive, wide-ranging, detailed analysis of capitalist society and what Marx saw as the tensions intrinsic to it, which was eventually published in three substantial volumes as *Das Kapital* or *Capital*.[1]

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[1] Despite these hardships, Marx's marriage was apparently a very happy one, and he was a devoted husband and father.

Engels, meanwhile, ran his family's cotton mills in Lancashire and became a respected figure in Manchester society. He rode two days a week with the aristocratic Cheshire Hunt (which, he unconvincingly claimed, was valuable training for a future leader of the armies of the revolution). But at heart Engels was unquestionably a devoted revolutionary, sincerely committed to the cause of communism, and he did his best to support Marx's work. He lived with an Irish factory girl called Mary Burns, and when she died he took in, and eventually married, her sister Lizzie.

In 1864 the International Working Men's Association was formed, otherwise known as the First International. This was a watershed in the history of the working class movement, and for the next eight years the organization was highly influential in European left-wing politics. Marx was one of its main leaders, and was heavily engaged with its internal politics. By the 1870s he had become the leading theoretician for the radical movement in Europe, especially in Germany, and had become notorious across the continent as the "Red Doctor Marx."

Marx died, of chronic respiratory disease, in London in 1883. (Despite Engels' best efforts: he took him on a tour of France, Switzerland, and Algiers in the hope that the change of climate might help his condition.) He is buried next to his wife in Highgate Cemetery. After 1870 Engels—who retired at fifty, an independently wealthy man—had devoted all of his time to helping Marx with his research, and after Marx's death he continued the writing of *Capital* from Marx's notes, completing it in 1894, a year before his own death.

In a speech given at Marx's graveside, Engels attested that Marx was above all else a revolutionary. His real mission in life was to contribute, in one way or another, to the overthrow of capitalist society and of the state institutions which it had brought into being, to contribute to the liberation of the modern proletariat, which *he* was the first to make conscious of its own position and needs, and the conditions of its emancipation. Fighting was his element. And he fought with a passion, a tenacity, and a success such as few could rival.

What Was Marx's Overall Philosophical Project?

Marx's work integrates German philosophy, French socialism, and British (or Scottish) political economy. Though Marx is commonly thought of as primarily a political economist, following in the tradition of Adam Smith (1723–90) and David Ricardo (1772–1823), he was trained as a political philosopher and is deeply indebted to German philosophy—most centrally Hegel and his followers, the Young Hegelians. When Marx was a student, Hegel's idealism dominated the German intellectual scene. According to Hegelian Idealism, the world is the continuous evolution of Spirit or Mind (*Geist*), which develops through a dialectical process. In the Hegelian dialectic, concepts generate their opposite, with reason transcending this apparent contradiction, forming a third concept. For example, the opposing concepts "being" and "nothing" are transcended in "becoming." The traditional interpretation of Hegel (dominant in Marx's time) is that Hegel is a pantheist, with the universe being Spirit thinking itself. Hegel's followers quickly split into two factions: the right-wing Hegelians, who attempted to synthesize his philosophy with orthodox Christianity, and the left-wing Hegelians, who attempted to provide a materialist alternative to Hegel's idealism. Besides Marx these included Arnold Ruge (1802–80), Ludwig Feuerbach (1804–72), Bruno Bauer (1809–82), and Marx's lifelong collaborator and benefactor, Friedrich Engels (1820–95).

Many of Marx's earlier works are preoccupied with Hegel's *Philosophy of Right*, most prominently his *Contribution to a Critique of Hegel's Philosophy of Right* (1843), the source of his remark that religion is the "opiate of the people." Here Marx claimed that religion is a response to alienation from work and community, creating a false community to substitute for a world of social and economic inequality. Contrary to Hegel's idealism, Marx held that the evolution of history is driven by relations of production which develop over time.[2] It is worthwhile quoting Marx's succinct rejection of idealism in *A Contribution to the Critique of Political Economy* (1859):

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[1] Marx's mother is said to have commented that it was a shame that her boy merely wrote about capital and never acquired any.

[2] Though "historical materialism" (Engels' term) or "dialectical materialism" (the term introduced by Russian revolutionary and Marxist Georgi Plekhanov [1856–1918]) holds a central place in Marxist thought, Marx himself wrote relatively little about history. Much of what he wrote can be found in *The German Ideology* (discussed below) and the 1859 preface to *A Contribution to the Critique of Political Economy*.

> In the social production of their existence, men inevitably enter into definite relations, which are independent of their will, namely relations of production appropriate to a given stage in the development of their material forces of production. The totality of these relations of production constitutes the economic structure of society, the real foundation, on which arises a legal and political superstructure and to which correspond definite forms of social consciousness. The mode of production of material life conditions the general process of social, political and intellectual life. It is not the consciousness of men that determines their existence, but their social existence that determines their consciousness.

Besides Hegel himself, Marx was particularly taken by, though critical of, Feuerbach's materialism and atheism, which attempted to analyze philosophy and religion as human products. This anthropological perspective (drawing on Kant's last major work, *Anthropology from a Pragmatic Point of View* [1798; revised edition 1800]) would influence Marx throughout his career. With the Young Hegelians, Marx became critical of Hegelianism and of philosophy in general as socially inefficacious. The task, as he would say in the *Theses on Feuerbach* is not merely to interpret the world, but to change it.[1]

Marx began to be influenced by a variety of non-Hegelian intellectual currents, including the ideas of the French utopian socialists Charles Fourier (1772–1837) and Henri de Saint-Simon (1760–1825). The utopian socialists advocated the reorganization of society into socialist communes. From historian and politician Louis Jean Joseph Charles Blanc (1811–92), Marx took the principle, "From each according to his abilities, to each according to his needs." The anarchist Pierre-Joseph Proudhon (1809–65) attracted Marx's attention with *What Is Property?* where we find the declaration that "property is theft." Their subsequent correspondence and collaboration ended with Marx's criticism of Proudhon's work, *The Poverty of Philosophy* (1847). Marx would later direct scathing criticisms at the utopian socialists, rejecting the call for justice as a form of ideology arising from and reinforcing the current economic relations of production. Instead, he came to advocate a value-neutral "scientific socialism." Still, the influence of utopian socialism on his work remains considerable.

The political economists, particularly Smith and Ricardo, provided the third major influence on Marx. He appropriated Smith's discussion of the division of labor and technological progress, along with Ricardo's labor theory of value—the view that the value of a commodity derives from the amount of labor it took to produce it. The details of Marx's economic project do not concern us here (and are no longer widely accepted, at least in the form he presented them); what remains important is that Marx brought a historical dimension to political economy. While Smith and Ricardo tended to view economic behavior as a constant, Marx saw it as dynamic, subject to fundamental change. And of the three, it was Marx who did the most to define capitalism as a social system in which labor-power itself becomes a commodity—where a class of workers, the proletariat, bereft of property, had only their labor-power to sell.

This provides much of the background to Marx's political philosophy. In 1852 he summarized his three most important political ideas as being the following:

> (1) Social classes are not permanent features of society, but instead are phases in the historical development of the relations of economic production.
> (2) The struggle between these classes will necessarily lead to the "dictatorship of the proletariat," in which the working people will forcibly take over political power from the property-owners.
> (3) The dictatorship of the proletariat is not an end in itself, but a transition period on the way to a classless communist society devoted to the free development and flourishing of individuals.

Marx's analysis of capitalism points to how social class divisions were produced and perpetuated by a particular type of economic system. A society is capitalist, according to Marx, if the production of goods is dominated by the use of wage-labor: that is, by the use of labor power sold, as their only way to make a living, by people who have no significant control over means of production (the proletariat), and bought by other people who do have control over means of production such as raw materials, capital, and machinery (the bourgeoisie). The bourgeoisie make their money mostly by combining the labor power they have bought with the means of production they own, and selling the commodities thus produced. Marx held that the relationship between these two classes, bourgeoisie and proletariat, was intrinsically and inescapably *antagonistic*, and he attempted to explain all the main institutional features of capitalist society in terms of this relation. Since, in Marx's view, the main institutions of a capitalist society have the function of preserving the interests of the bourgeoisie, and since these interests are opposed to those of the proletarians, capitalist society is therefore a kind of class rule, or oppression, of the majority by the minority.

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[1] A detailed discussion of Marx's criticisms of Feuerbach and Bauer can be found below in the sections on the *Theses on Feuerbach* and *the Jewish Question*.

Furthermore, for Marx, social structures such as capitalism which are based on the oppression of one class by another give rise to what he called *ideologies*. An ideology is a (socially influential) system of beliefs or assumptions that reflects a false perception of reality—a perception of reality that is distorted by the social forces involved in class oppression. Central examples, for Marx, were systems of religious belief and the capitalist doctrine of the "free market." The dominance of a ruling class, whose members usually make up only a tiny minority of society, cannot be preserved through physical coercion alone: it can only survive as long as most people believe (falsely) that the social status quo is in their own interests, or that there is no realistic alternative to the current system.

One of the best-known components of Marx's philosophical system is his *historical materialism*: "[t]he mode of production of material life conditions the social, political, and intellectual life-process in general." This is the view that the foundation or "base" of society is its economic structure, which is defined by historical facts about the means of production (for example, facts about the level of agricultural sophistication, industrial technology, trade and transportation networks, and so on). As productive forces change, economic adjustments—changes to the relations of production—give rise to revolutions in society's "superstructure": the political, legal, moral, religious and philosophical components of culture. In other words, political and social changes do not cause economic change, but the other way around: political and social systems are determined by their economic basis.

Marx's second main political-philosophical idea, in his 1852 summary, was the view that capitalism contains internal tensions which, in time, will inevitably produce the revolutionary overthrow of the bourgeoisie by the workers and usher in a "dictatorship of the proletariat." This view is, in part, the heritage of Marx's early influence by, and reaction to, the philosophical system of Hegel. For Hegel, history is a "dialectical" movement in which a thesis—a principle or idea—is challenged by its antithesis, and from this conflict there emerges a synthesis of the two, a new principle. In time this new principle meets *its* antithesis, and so on (until the ideal, final synthesis is achieved). Thus Hegel was an *idealist*, in the sense that for him the engine of world change was the clash of *Ideas*. In Engels' words, Marx turned this Hegelian system on its head: instead of conflicts between ideas (in the shape of political structures) driving change, Marx held that the world contains its own internal conflicts and that political ideas actually spring up *from* this conflict rather than causing it. And these built-in conflicts, the mainspring of historical change, are *economic* in nature: they are generated by people's attempts to satisfy their material needs—for food, clothing, shelter and so on—and their subsequent pursuit of personal wealth, within the context of their society's particular level of economic development. (Thus, Marx's system is often called *dialectical materialism*, though Marx himself never used this label.)

A notion central to Marx's diagnosis of the economic conflicts driving capitalism towards revolution is that of *alienation* (or *estrangement*),[1] which in turn arises from two other fundamental ideas in Marx's system: his theory of human nature, and his "labor theory of value." According to Marx, human beings are essentially *active* and *creative* beings: human flourishing consists in the continual transformation of one's inherent creative power into objective products, the constant *realization* of one's "subjectivity." Thus, productive activity—that is, work—is an essential component of human well-being: Marx's concern for the poor was never merely concern for their basic "material needs," such as food and housing, but was part of his view of human flourishing as being a matter of "free self-activity," of true self-expression in a social context.

The institution of private property, in Marx's view, stifles the flourishing of the human spirit. Since private property represents the products of labor as if they were mere *things*, it alienates labor—and thus, human nature—from itself. Workers in a modern economy typically do not experience the economic goods they spend their lives producing as expressions of *themselves*, but merely as things to be sold. Furthermore, capitalism intensifies this process of alienation by treating *labor itself* as a commodity, to be bought and sold: not only is the product of your creative activity alienated from you, but that very activity, work itself, is alienated—it is no longer *yours*, once you have sold it to an employer.

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[1] Marx used two German words for what commentators have generally taken to be the same concept: *Entaußerung* and *Entfremdung*. Some translations—including the one included here—render these by two English words, "alienation" and "estrangement," respectively. Others use the word "alienation" to translate both.

Marx did not invent the concept of alienation. It has a long history, dating back perhaps to early Christianity, but a more immediate source for Marx was German Romanticism, a philosophical, literary, and generally cultural movement that flourished from perhaps 1790 till 1850. Romantics tended to look back with nostalgia to pre-industrial times, when, they thought, our lives were more natural, more whole—when we were more in touch with our real selves. Modern alienation for them is separation—from nature and from human nature. Hegel, sometimes considered a German Romantic himself, was a more immediate influence on Marx's concept. For Hegel, alienation involves the view of the external world as outside—foreign to us—as objective and mind independent. We recover from this alienation when we see all truth as "our" truth—when we see it as a facet of mind and its self-consciousness, of the "Spirit" which creates the world and its history, and which is in fact embodied in nature and in our society.

While accepting certain aspects of the Romantic and Hegelian views, Marx insisted on some important changes. He agreed that contemporary industrial society was particularly alienating, but gave a "materialistic"—economic—account of this, as a consequence of the condition of wage laborers under capitalism. Their lives are unfulfilling—alienated—because they are deprived of the ownership of the products of their labor—and thus the pride of production—deprived of any sense of communal action, powerless over their lives, in the grip of an autonomous external inhuman "market" which enslaves them and separates them from one-another, from their human nature, and thus from themselves. Marxist alienation, in sum, has four aspects: the worker is alienated from his product; from his act of production; from nature; and from his "species-being"—that is, his human nature. Marx rejected Hegel's acceptance of contemporary society and religion as a possible embodiment of unalienated wholeness, and Hegel's philosophical recipe for ending alienation. Religion was essentially alienating, Marx argued, transferring what should be seen as human power to an external God; society could be unalienating only when its economic structure restored power and ownership to the workers to whom these belonged.

On Marx's analysis, the capitalist sale of goods for profit is inherently exploitative. According to the labor theory of value, which Marx took over from British economists Adam Smith (1723–90) and David Ricardo (1772–1823) and developed into his own economic theory, the fair value of anything in a free market is determined by the amount of labor that is required to produce it. This has two major implications. First it means, according to Marx, that *capital* adds no value to goods over and above the labor taken to produce them, and thus the capitalist, after recompensing his workers for the value of the labor they have expended in his factories, simply appropriates the "surplus value" which is generated as profits. Although not economically "unfair," in Marx's view, this is nevertheless a form of exploitation. Second, when the labor theory of value is applied to a free market for *labor itself*, it has the implication that the working classes will necessarily (and not "unjustly," by the lights of capitalism) be forced into permanent poverty. This is because the labor-value of labor itself is simply the amount necessary to keep the worker healthy and ready to work each day—that is the minimum amount of food and shelter necessary to sustain the worker. This therefore, no more and no less, is the labor wage in a free capitalist market, and this produces a huge class of workers with no security, no prospects, no savings, no interest in preserving the current social conditions ... in short, "nothing to lose but their chains."

Interestingly, Marx had relatively little to say about the nature of a future communist society. It is clear, however, that he saw it as a society in which the tensions inherent in capitalism have annihilated themselves and produced an economic system that—because there is no private property or capital—does not generate alienation and exploitation. Instead, it allows for genuine human flourishing as active, creative individuals, self-determined and self-sufficient within a community of other self-determined human beings.

What Is the Structure of the Readings?

I. *On the Jewish Question*. This essay, written in 1843, is among the earliest of Marx's works. The essay is to a large extent an attack on the views of Bruno Bauer (1809–82), philosopher, historian, and theologian. Bauer, a leader of the Young Hegelian movement, had argued against Jewish emancipation, on the basis that religion in general—Jewish or Christian—was the problem, and that *human* emancipation, flowing from a political regime which granted rights and liberties—was the answer. Marx was not opposed to human emancipation, and was no friend of religion. His argument with Bauer here is that state protection of rights and freedoms is the wrong approach: that these presuppose a liberal capitalist state, which is the problem, not the solution. Freedom in the liberal state protects us in our efforts to seek our self-interest, free from the interference of others; but what is needed is a radically different social situation in which we find our real freedom in our participation in the human community, not in protected isolation. When we insist on rights, then, we in effect reinforce the capitalist individualistic state, and postpone real emancipation.

An uncomfortable aspect of Marx's writing here (and periodically elsewhere, as in his *Thesis on Feuerbach*) is the degree to which he partakes of the anti-Semitism that was endemic in the European culture of the time. He clearly shares in the prejudice that attributed to Jews an inherent tendency towards "money-grubbing"; the acceptance of anti-Semitic stereotypes of this sort no doubt facilitated the conflation of those supposed Jewish tendencies with capitalist ones. In fact, Jews in England, Germany, and most of the rest of Europe were prevented (usually by legal restrictions as well as through social strictures) from entering most respectable professions, but were nevertheless disparaged for pursuing the few occupations (such as money-lending) that were open to them.

II. *Essays from Economic and Philosophic Manuscripts of 1844*. In 1844, while living in Paris, Marx completed rough drafts of several essays he intended to form part of a book; but his work on this project went no further. More than eighty years later, an incomplete translation into Russian of the four surviving essays was published under the title *Economic and Philosophic Manuscripts of 1844*; a more complete German translation appeared soon afterwards, and now this collection is a well-known standard part of the Marx bibliography; sometimes it is referred to as the Paris Manuscripts of 1844.

A few years after having written these manuscripts, Marx's thought had undergone several important changes, and he had rejected many of the views and standpoints demonstrated here. But these manuscripts remain important reading, for a couple of reasons. First, they are of historical interest in showing Marx's thought at an early stage: still very Hegelian in content, form, vocabulary, and mode of expression; still quite abstract and philosophical, still somewhat humanist and individualist; still akin to the ethical socialists he would firmly denounce later. Second, many prefer Marx's emphasis in these earlier works on human self-fulfillment, cooperation, sociability, even love, to his later views on issues such as the dictatorship of the proletariat which have been seen as precursors of the orthodox communist ideology promulgated by Lenin and Stalin under the totalitarian Soviet system.

III. *The German Ideology*, written in 1845–46, is the first substantial work of Marx[1] showing him rejecting his earlier liberal, humanistic, individualistic socialism. Much of this work is a scathing attack on thinkers representing, in one way or another, something like his own earlier views: Marx later stated that he wrote it "to settle accounts with our erstwhile [earlier] philosophical conscience" ("Preface," *A Contribution to the Critique of Political Economy*). Marx's witty sarcasm directed against Bruno Bauer, Max Stirner, and others makes for lively reading; but because there is little attention given to these people nowadays, and because Marx's invective goes on at enormous length, these parts of the book are nowadays mostly ignored. What is instead of great interest is the opening section of the book, called "Feuerbach: Opposition of the Materialistic and Idealistic Outlook." This title is not very accurate, because although this section clearly is directed against Feuerbach's views, these are hardly mentioned; instead what we have here is mostly a positive restatement, this time without all the contorted Hegelian philosophical rhetoric, of the theory of history Marx presented in his 1844 manuscripts.

Ludwig Feuerbach (1804–72) was often seen as a bridge between Hegel and Marx. Originally a Hegelian, he argued that Hegel's views suffered from internal inconsistency, and proposed a naturalistic materialism to take the place of Hegel's idealism. His views on religion were the best known—and the most scandalous—part of his philosophy: he was accused by some of atheism, of taking a merely anthropological view of religion, of treating it as a merely symbolic expression of human yearnings. Marx, of course, could agree with much of the spirit of this critique. But, as always, he directs his bitterest polemics against those who are largely on his side. Marx's main objection to Feuerbach, and to the rest of the Young Hegelians—indeed perhaps to German philosophy in general—is that it takes ideas as basic causes, responding to human phenomena in general, and to human problems in particular, as if a mode of consciousness was the cause. He insists instead that consciousness does not cause our social existence, but the reverse: our social existence determines our consciousness.

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[1] The manuscript of this work, and its published form (which did not appear until 1932) list Marx and Engels as co-authors, but most scholars are inclined to attribute almost all the writing to Marx.

IV. Marx wrote the *Theses on Feuerbach* in 1845 as he and Engels were beginning work on *The German Ideology*. After Marx's death, Engels found it in one of Marx's notebooks, and published it over forty years after it was written, describing it as "the brilliant gem of the new world outlook." It is often seen as a note summarizing the main points he would make in *The German Ideology*, and it does a good job of compressing many of the major Marxist themes into an accessible format. Thesis XI, "The philosophers have only *interpreted* the world in different ways; the point is to *change* it," has become one of the most frequently quoted Marxian utterances, and it perfectly expresses his most central, decidedly un-Hegelian idea.

V. *The Communist Manifesto* was written to be a statement of the ideals and aims of the Communist League. The Communist League was an umbrella organization linking the main centers of communist activity in London, Paris, Brussels, and Cologne; it was formed in June 1847, largely at the instigation of Marx and Engels, and was descended from a shadowy "secret society" formed in Paris called the League of the Just. Most of its (few) members were German émigrés, and included several tailors, a few students, a typesetter, a cobbler, a watchmaker, a painter of miniatures, a disgraced Prussian officer, and Marx's aristocratic brother-in-law. A Congress of the League was held in London in November of 1847. To quote the eminent British historian A.J.P. Taylor:

> Marx attended in person. He listened impatiently while the worthy tailors lamented the wickedness of capitalism and preached universal brotherhood. He rose and denounced brotherhood in the name of class war. The tailors were entranced. Where they relied on sentiment, a learned man explained to them how society worked and placed the key to the future in their hands. They invited Marx to write a declaration of principles for them. He agreed.

Engels wrote a first draft—a question and answer brief on the main principles of communism—which was then completely rewritten by Marx in the space of fewer than six weeks. Marx was less than thirty years old at the time.

The *Manifesto* has four sections. The first part is a history of society from the Middle Ages to the present day, presenting it as a succession of class struggles, and predicting the imminent victory of the proletariat over the present ruling class, the bourgeoisie. Part II describes the position of the communists with respect to the proletarian class, and then goes on to reject a sequence of bourgeois objections to communism. This is followed by a brief characterization of the nature of the forthcoming communist revolution. The third part contains an extended criticism of other forms of socialism—reactionary, bourgeois and utopian—and the final section, not included here, provides a short description of communist tactics towards other opposition parties and culminates with a call for proletarian unity.

VI. *Critique of the Gotha Program* was written in 1875, eight years before Marx's death. The "Gotha Program" was named after the German town of Gotha where a congress of a social-democratic party with which Marx was associated was to be held. The Program was a compromise proposal aimed at uniting the party by including a non-Marxist faction that had been led by the German political economist Ferdinand Lassalle (1825–64). The Lassalle faction argued for reform, rather than revolution; and Marx condemned them for their willingness to limit demands on behalf of workers in exchange for concessions from the government, and in broader terms, for what he took to be their acceptance of the basic structure of, and philosophical assumptions behind, capitalist society. The *Critique* offers Marx's criticisms of the proposal, in a letter written to the leaders of his faction of the Party. (Despite his efforts, the proposal was presented and accepted, and the party united.)

Because he is writing to others thoroughly familiar with the issues, his notes here are comparatively brief and sketchy; he does not bother to explain things very carefully, and it is sometimes difficult for the reader to form a clear idea of exactly what the Gotha Program proposes, or what Marx's objections are. Often he mocks his opponents' ideas, without clearly explaining where he thinks they are mistaken. But overall, the main themes should become clear: Marx discusses (sometimes only indirectly) several subjects central to his idea of communism, and important in its later development, including the dictatorship of the proletariat, the period of transition from capitalism to communism, the anticipated development of communist society, the production and distribution of the social goods, proletarian internationalism, and the party of the working class. Of special interest is his deconstructive critique of the less radical socialist faction's idea of "fair" distribution of the products of labor. His positive proposal for economic justice is sketched lightly, though he does introduce here what was to become the famous communist slogan: "From each according to his ability, to each according to his needs." Throughout this document, however, we may find expressions of Marx's view that an economically just state would not be created out of abstract philosophical ideas, but would rather be the consequence of the implementation of the basic material aims of the communist revolution.

Some Useful Background Information

i) For Marx, no external force or random accident is required to topple capitalism: he believed that the overthrow of capitalism by socialism was inevitable, and that it would come about because of the very internal nature of capitalism itself. An accurate grasp of the forces which sustain almost all social systems throughout history, Marx thought, will show that they must inevitably, as a result of internal processes, decline and be replaced by a radically different social system. However *inevitably* does not mean *spontaneously*: the actual overthrow of existing society must be performed by a band of determined revolutionaries who join the already existing, day-to-day class struggles and introduce revolutionary ideas to combat the ruling ideology, emphasize the need for unity among the oppressed, and, when the time is ripe, boldly lead the revolution. The key is to follow the course of history *knowingly* by controlling the circumstances which generate it.

ii) There are a few terms that appear frequently in Marx's writings that it is worth defining here:

"Species-being": our essence as a species, as biological creatures; our human nature, what makes us distinctively human. An important theme (especially in the early writing) is alienation from our species-being. The two components of our species-being are consciousness of ourselves as human, part of the human collectivity; and our characteristically human free creative activity.

"Alienation" (or "estrangement") is distancing from, opposition to, being out of touch with something, making something foreign, seeing it as something apart from one's self. Thus the alienation of labor happens when labor becomes foreign—separated from—the laborer. To be alienated from our species being is to be distanced from our fundamental nature. Capitalism, Marx argued, necessarily alienates in both these ways.

"Civil Society" is a term used by Marx in two distinct ways. Sometimes he merely means any sort of structured society. But more often he means society structured in a particular sort of way: with autonomous economic activity, unrestricted by governmental or religious authority. This society, arising as feudalism broke down, facilitated the accumulation of property and economic power in a few hands, and made it necessary for workers to sell their labor.

"Reactionary" is the term Marx and other socialists often use to refer to their right-wing conservative opposition. The contrast is with left-wing radicals and socialists: "progressives." Reactionaries are so-called because they are seen as opposing social change: they merely *react* against it.

"Bourgeois, bourgeoisie, proletariat." In Marx's writings, a bourgeois is a capitalist, someone who owns the means of production and hires others to perform the labor. "Bourgeois" can also be a plural noun: "the bourgeois were ..." and an adjective: "bourgeois society" (meaning capitalist society). The social class containing the bourgeois is called "the bourgeoisie." (These French words are pronounced, roughly, "Boor-zhwa" and "Boor-zhwa-zee.") The working class in capitalist society is called the "proletariat."

Some Common Misconceptions

i) Although Marx believed that all the main institutions of society function to preserve the interests of the ruling class, he was not a conspiracy theorist: he did not believe, for example, that leading political figures receive covert orders from the business community. Instead, he held that institutional mechanisms press the actions of successful political figures into reflecting the long-term interests of the bourgeoisie (including the need for social and economic stability and the suppression of revolution). One especially important mechanism for this, according to Marx, is the national debt: governments depend on capitalists to renew huge but routine loans, and these financiers could throw national finances into chaos if their interests are too directly threatened. Another major influence is the pace of investment: if capitalists are displeased, the rate of investment slows and this has serious repercussions for employment rates and income levels. A third major factor is the bourgeois ownership of the media (in Marx's time, the mass-circulation newspapers), and their consequent ability to manipulate and mould public opinion.

ii) Marx's philosophy, as it is found in his writings, may be distinguished from the ideological system that we often call "Marxism" today. His thought has been built on and interpreted by many other writers, starting with Engels; and including several prominent Russian thinkers such as Georgy Plekhanov (1856–1918) and Vladimir Ilich Lenin (1870–1924) who formulated an "orthodox," systematic Soviet version of Marxism; as well as the so-called Western Marxists such as Georg Lukács (1885–1971), Theodor Adorno (1903–69), and Louis Althusser (1918–90). Nor is Marxism quite the same thing as communism. The "communist" notion of the abolition of private property dates back at least to the early Christians, and was proposed during the French Revolution by a few fringe groups whom even the revolutionaries considered beyond the pale. And of course, the modern association of Communism with the political and economic structures of China and the Soviet Union is a development which occurred after Marx's death (and it is highly unlikely that Marx himself would have unconditionally approved of those regimes).

How Important and Influential Are These Writings?

The *Communist Manifesto* is the most successful political pamphlet of all time, inspiring the thought of Vladimir Lenin, Leon Trotsky, and Mao Zedong and leading to the Russian and Chinese revolutions. While the relationship between Marx's thought and communism under Stalin and Mao's brutal dictatorships is controversial, for a substantial period of the twentieth century, roughly a third of the human race was ruled by governments that claimed allegiance to the ideas expressed by Marx. Practically, Marx's thought remains the chief inspiration for many of the modern forms of social radicalism; intellectually, according to the *Blackwell Encyclopedia of Political Thought*, "[o]ver the whole range of the social sciences, Marx has proved probably the most influential figure of the twentieth century." Marx's central ideas—"historical materialism," the labor theory of value, the notion of class struggle—have had an inestimable influence on the development of contemporary economics, history, and sociology.

In social and political philosophy, Marx remains a towering, though sometimes unacknowledged and frequently controversial, figure. No major social or political thinker has been untouched by Marx's work. The great sociologist Max Weber reacted against and learned from Marx's oeuvre. The members of the Frankfurt school—most prominently Max Horkheimer, Theodor Adorno, Herbert Marcuse, and their intellectual heir, Jurgen Habermas—rejected economic determinism and other aspects of Marx's philosophy, but developed from it highly original critiques of ideology and capitalism. And analytic Marxists such as G.A. Cohen, John Roemer, and John Elster have applied the tools of analytic philosophy and contemporary economics to transform Marx's ideas about history, ideology, economics, and social justice.

Marx is also reflected in twentieth-century communitarianism, especially in its skepticism of the language of rights and individualism. Liberal philosophy has both reacted against and learned from Marxism, and Marx's influence (both positive and negative) can be seen in the work of philosophers as diverse as Isaiah Berlin, Robert Nozick, and John Rawls. Though liberals take issue with many of Marx's claims, the rise of liberal egalitarianism as a major philosophical standpoint can be plausibly traced in large part to his work.

♦ ♦ ♦ ♦ ♦

On Bruno Bauer's *On the Jewish Question* (1843)[1]

The German Jews seek emancipation. What kind of emancipation do they want? Civic, political emancipation. Bruno Bauer replies to them: In Germany no one is politically emancipated. We ourselves are not free. How then could we liberate you? You Jews are egoists if you demand for yourselves, as Jews, a special emancipation. You should work, as Germans, for the political emancipation of Germany, and as men, for the emancipation of mankind. You should feel the particular kind of oppression and shame which you suffer, not as an exception to the rule but rather as a confirmation of the rule.

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[1] *Bruno Bauer* (1809–82), German philosopher, historian, and theologian, taught the teen-aged Marx in 1836, and introduced him to Hegelianism. Originally a right-wing Hegelian, Bauer turned left during the 1840s, and published *On the Jewish Question (Die Judenfrage)* in 1843. In it, Bauer criticized both the conservative Prussian state for its restrictions on Jews, and also the Jews for maintaining their traditions and separateness. The Jewish religion, he claimed, was inferior to Christianity in terms of compatibility with full citizenship. As long as Jews maintained their beliefs they could expect persecution and exclusion, which was, then, for all intents and purposes, their own fault. Bauer managed to alienate both the conservative state (which revoked his teaching license) and the radical left. This article by Marx discussing Bauer's work first appeared in *Deutsch-Französische Jahrbücher*, October 1843. The first part focuses on Bauer's *On the Jewish Question*, the second on Bauer's *The Capacity for the Present-day Jews and Christians to Become Free.*

Or do the Jews want to be placed on a footing of equality with the *Christian subjects?* If they recognize the *Christian state* as legally established they also recognize the regime of general enslavement. Why should their particular yoke be irksome when they accept the general yoke? Why should the German be interested in the liberation of the Jew, if the Jew is not interested in the liberation of the German?

The *Christian* state recognizes nothing but *privileges.* The Jew himself, in this state, has the privilege of being a Jew. As a Jew he possesses rights which the Christians do not have. Why does he want rights which he does not have but which the Christians enjoy?

In demanding his emancipation from the Christian state he asks the Christian state to abandon its *religious* prejudice. But does he, the Jew, give up *his* religious prejudice? Has he then the right to insist that someone else should forswear his religion?

The *Christian* state, *by its very nature,* is incapable of emancipating the Jew. But, adds Bauer, the Jew, by his very nature, cannot be emancipated. As long as the state remains Christian, and as long as the Jew remains a Jew, they are equally incapable, the one of conferring emancipation, the other of receiving it.

With respect to the Jews the Christian state can only adopt the attitude of a Christian state. That is, it can permit the Jew, as a matter of privilege, to isolate himself from its other subjects; but it must then allow the pressures of all the other spheres of society to bear upon the Jew, and all the more heavily since he is in *religious* opposition to the dominant religion. But the Jew likewise can only adopt a Jewish attitude, i.e., that of a foreigner, towards the state, since he opposes his illusory nationality to actual nationality, his illusory law to actual law. He considers it his right to separate himself from the rest of humanity; as a matter of principle he takes no part in the historical movement and looks to a future which has nothing in common with the future of mankind as a whole. He regards himself as a member of the Jewish people, and the Jewish people as the chosen people.

On what grounds, then, do you Jews demand emancipation? On account of your religion? But it is the mortal enemy of the state religion. As citizens? But there are no citizens in Germany. As men? But you are not men any more than are those to whom you appeal.

Bauer, after criticizing earlier approaches and solutions, formulates the question of Jewish emancipation in a new way. What, he asks, is the nature of the Jew who is to be emancipated, and the *nature* of the Christian state which is to emancipate him? He replies by a critique of the Jewish religion, analyses the religious opposition between Judaism and Christianity, explains the essence of the Christian state; and does all this with dash, clarity, wit and profundity, in a style which is as precise as it is pithy and vigorous.

How then does Bauer resolve the Jewish question? What is the result? To formulate a question is to resolve it. The critical study of the Jewish question is the answer to the Jewish question. Here it is in brief: we have to emancipate ourselves before we can emancipate others.

The most stubborn form of the opposition between Jew and Christian is the *religious* opposition. How is an opposition resolved? By making it impossible. And how is *religious* opposition made impossible? By abolishing *religion.* As soon as Jew and Christian come to see in their respective religions nothing more than *stages in the development of the human mind*—snake skins which have been cast off by *history*, and *man* as the snake who clothed himself in them—they will no longer find themselves in religious opposition, but in a purely critical, *scientific* and human relationship. *Science* will then constitute their unity. But scientific oppositions are resolved by science itself.

The *German* Jew, in particular, suffers from the general lack of political freedom and the pronounced Christianity of the state. But in Bauer's sense the Jewish question has a general significance, independent of the specifically German conditions. It is the question of the relations between religion and the state, of the *contradiction between religious prejudice and political emancipation.* Emancipation from religion is posited as a condition, both for the Jew who wants political emancipation, and for the state which should emancipate him and itself be emancipated.

> Very well, it may be said (and the Jew himself says it) but the Jew should not be emancipated because he is a Jew, because he has such an excellent and universal moral creed; the *Jew* should take second place to the citizen, and he will be a *citizen* although he is and desires to remain a Jew. In other words, he is and remains a *Jew*, even

> though he is a *citizen* and as such lives in a universal human condition; his restricted Jewish nature always finally triumphs over his human and political obligations. The bias persists even though it is overcome by general principles. But if it persists, it would be truer to say that it overcomes all the rest. It is only in a sophistical[1] and superficial sense that the Jew could remain a Jew in political life. Consequently, if he wanted to remain a Jew, this would mean that the superficial became the essential and thus triumphed. In other words, his life *in the state* would be only a semblance, or a momentary exception to the essential and normal. (Bauer, "Die Fahigkeit der heutigen Juden und Christen frei zu warden")[2]

Let us see also how Bauer establishes the role of the state.

> France [he says] has provided us recently,[3] in connection with the Jewish question (and for that matter all other *political* questions), with the spectacle of a life which is free but which revokes its freedom by law and so declares it to be merely an appearance; and which, on the other hand, denies its free laws by its acts.
>
> In France, universal liberty is not yet established by law, nor is the *Jewish question as yet resolved*, because legal liberty, i.e., the equality of all citizens, is restricted in actual life, which is still dominated and fragmented by religious privileges, and because the lack of liberty in actual life influences law in its turn and obliges it to sanction the division of citizens who are by nature free into oppressors and oppressed. (Bauer, *Die Judenfrage*)[4]

When, therefore, would the Jewish question be resolved in France?

> The Jew would really have ceased to be Jewish, for example, if he did not allow his religious code to prevent his fulfillment of his duties towards the state and his fellow citizens; if he attended and took part in the public business of the Chamber of Deputies on the Sabbath. It would be necessary, further, to abolish *all religious privilege* including the monopoly of a privileged church. If, thereafter, some or many or *even the overwhelming majority felt obliged to fulfill their religious duties*, such practices should be left to them as an absolutely private matter.
>
> There is no longer any religion when there is no longer a privileged religion. Take away from religion its power to excommunicate and it will no longer exist.
>
> Mr. Martin du Nord has seen, in the suggestion to omit any mention of Sunday in the law, a proposal to declare that Christianity has ceased to exist. With equal right (and the right is well founded) the declaration that the law of the Sabbath is no longer binding upon the Jew would amount to proclaiming the end of Judaism.

Thus Bauer demands, on the one hand, that the Jew should renounce Judaism, and in general that man should renounce religion, in order to be emancipated as a citizen. On the other hand, he considers, and this follows logically, that the political abolition of religion is the abolition of all religion. The state which presupposes religion is not yet a true or actual state. "Clearly, the religious idea gives some assurances to the state. But to what state? *To what kind of state?*"

At this point we see that the Jewish question is considered only from one aspect.

It was by no means sufficient to ask: who should emancipate? who should be emancipated? The critic should ask a third question: *what kind of emancipation* is involved? What are the essential conditions of the emancipation which is demanded? The criticism of *political emancipation* itself was only the final criticism of the Jewish question and its genuine resolution into the "*general question of the age.*"

Bauer, since he does not formulate the problem at this level, falls into contradictions. He establishes conditions which are not based upon the nature of *political* emancipation. He raises questions which are irrelevant to his problem, and he resolves problems which leave his question unanswered. When Bauer says of the opponents of Jewish emancipation that "Their error was simply to assume that the Christian state was the only true one, and not to subject it to the same criticism as Judaism," we see his own error in the fact that he subjects *only* the "Christian state," and not the "state as such" to criticism, that he does not examine *the relation between political emancipation and human emancipation*, and that he, therefore, poses conditions which are only explicable by his lack of critical sense in confusing political emancipation and universal human emancipation. Bauer asks the Jews: Have you, from your standpoint, the right to demand *political emancipation?* We ask the converse question: from the standpoint of *political* emancipation can the Jew be required to abolish Judaism, or man be asked to abolish religion?

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[1] *sophistical* Based on flawed reasoning.

[2] *"Die Fahigkeit … zu warden"* "The Capacity for the Present-Day Jews and Christians to Become Free," emphases added by Marx.

[3] *France … recently* [Marx's footnote] Chamber of Deputies. Debate of 26th December, 1840.

[4] *Bauer, Die Judenfrage* The original German title of *On the Jewish Question*. Unless otherwise noted, Marx's quotations from Bauer are all from this work.

The Jewish question presents itself differently according to the state in which the Jew resides. In Germany, where there is no political state, no state as such, the Jewish question is purely *theological*. The Jew finds himself in *religious* opposition to the state, which proclaims Christianity as its foundation. This state is a theologian *ex professo.*[1] Criticism here is criticism of theology; a double-edged criticism, of Christian and of Jewish theology. And so we move always in the domain of theology, however *critically* we may move therein.

In France, which is a *constitutional* state, the Jewish question is a question of constitutionalism, of the incompleteness *of political emancipation.* Since the *semblance* of a state religion is maintained here, if only in the insignificant and self-contradictory formula of a *religion of the majority*, the relation of the Jews to the state also retains a semblance of religious, theological opposition.

It is only in the free states of North America, or at least in some of them, that the Jewish question loses its *theological* significance and becomes a truly *secular* question. Only where the state exists in its completely developed form can the relation of the Jew, and of the religious man in general, to the political state appear in a pure form, with its own characteristics. The criticism of this relation ceases to be theological criticism when the state ceases to maintain a *theological* attitude towards religion, that is, when it adopts the attitude of a state, i.e., a *political* attitude. Criticism then becomes *criticism* of the *political state.* And at this point, where the question ceases to be *theological*, Bauer's criticism ceases to be critical.

> There is not, in the United States, either a state religion or a religion declared to be that of a majority, or a predominance of one religion over another. The state remains aloof from all religions. (Gustave de Beaumont, *Marie ou l'esclavage aux Etats-Unis*)[2]

There are even some states in North America in which "the constitution does not impose any religious belief or practice as a condition of political rights." And yet, "no one in the United States believes that a man without religion can be an honest man." And North America is pre-eminently the country of religiosity, as Beaumont, (op. cit) Tocqueville (A. de Tocqueville, *De la democratie en Amerique*) and the Englishman, Hamilton, (Thomas Hamilton, *Men and Manners in North America*, 1833, 2 vols.) assure us in unison. However, the states of North America only serve as an example. The question is: what is the relation between *complete* political emancipation and religion? If we find in the country which has attained full political emancipation, that religion not only continues to *exist* but is *fresh* and *vigorous*, this is proof that the existence of religion is not at all opposed to the perfection of the state. But since the existence of religion is the existence of a defect, the source of this defect must be sought in the *nature* of the state itself. Religion no longer appears as the basis, but as, the *manifestation* of secular narrowness. That is why we explain the religious constraints upon the free citizens by the secular constraints upon them. We do not claim that they must transcend their religious narrowness in order to get rid of their secular limitations. We do not turn secular questions into theological questions; we turn theological questions into secular ones. History has for long enough been resolved into superstition; but we now resolve superstition into history. The question of the *relation between political emancipation and religion* becomes for us a question of the *relation between political emancipation and human emancipation.* We criticize the religious failings of the political state by criticizing the political state in its *secular* form, disregarding its religious failings. We express in human terms the contradiction between the state and a *particular religion*, for example *Judaism*, by showing the contradiction between the state and particular *secular elements*, between the state and *religion* in *general* and between the state and its general *presuppositions.*

The *political* emancipation of the Jew or the Christian—of the *religious* man in general—is the *emancipa-*

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[1] *ex professo* Latin: avowedly, expressly.

[2] *Marie ou l'esclavage aux Etats-Unis* French: Mary, or Slavery in the United States.

tion of the state from Judaism, Christianity, and *religion* in general. The *state* emancipates itself from religion in its own particular way, in the mode which corresponds to its nature, by emancipating itself from the *state religion*; that is to say, by giving recognition to no religion and affirming itself purely and simply as a state. To be *politically* emancipated from religion is not to be finally and completely emancipated from religion, because political emancipation is not the final and absolute form of *human* emancipation.

The limits of political emancipation appear at once in the fact that the *state* can liberate itself from a constraint without man himself being *really* liberated; that a state may be a *free state* without man himself being a *free man*. Bauer himself tacitly admits this when he makes political emancipation depend upon the following condition—

> It would be necessary, moreover, to abolish all religious privileges, including the monopoly of a privileged church: If some people, or even the *immense majority, still felt obliged to fulfill their religious duties*, this practice should be left to them as a *completely private matter.*

Thus the state may have emancipated itself from religion, even though the *immense majority* of people continue to be religious. And the immense majority do not cease to be religious by virtue of being religious *in private.*

The attitude of the state, especially the *free state*, towards religion is only the attitude towards religion of the individuals who compose the state. It follows that man frees himself from a constraint in a *political* way, through the state, when he transcends his limitations, in contradiction with himself, and in an *abstract, narrow* and partial way. Furthermore, by emancipating himself *politically*, man emancipates himself in a *devious way*, through an intermediary, however *necessary* this intermediary may be. Finally, even when he proclaims himself an atheist through the intermediary of the state, that is, when he declares the state to be an atheist, he is still engrossed in religion, because he only recognizes himself as an atheist in a roundabout way, through an intermediary. Religion is simply the recognition of man in a roundabout fashion; that is, through an intermediary. The state is the intermediary between man and human liberty. Just as Christ is the intermediary to whom man attributes all his own divinity and all his religious *bonds*, so the state is the intermediary to which man confides all his non-divinity and all his *human freedom.*

> The *political* elevation of man above religion shares the weaknesses and merits of all such political measures. For example, the state as a state abolishes *private property* (i.e., man decrees by *political* means the *abolition* of private-property) when it abolishes the *property qualification* for electors and representatives, as has been done in many of the North American States. Hamilton interprets this phenomenon quite correctly from the political standpoint: *The masses have gained a victory over property owners and financial wealth.*

Is not private property ideally abolished when the non-owner comes to legislate for the owner of property? The *property qualification* is the last *political* form in which private property is recognized.

But the political suppression of private property not only does not abolish private property; it actually presupposes its existence. The state abolishes, after its fashion, the distinctions established by *birth, social rank, education, occupation*, when it decrees that birth, social rank, education, occupation are *non-political* distinctions; when it proclaims, without regard to these distinctions, that every member of society is an *equal* partner in popular sovereignty, and treats all the elements which compose the real life of the nation from the standpoint of the state. But the state, none the less, allows private property, education, occupation, to *act* after *their* own fashion, namely as private property, education, occupation, and to manifest their *particular* nature. Far from abolishing these *effective* differences, it only exists so far as they are presupposed; it is conscious of being a *political state* and it manifests its *universality* only in opposition to these elements. Hegel, therefore, defines the relation of the political state to religion quite correctly when he says:

> In order for the state to come in to existence as the *self-knowing* ethical actuality of spirit, it is essential that it should be distinct from the forms of authority and of faith. But this distinction emerges only in so far as divisions occur within the ecclesiastical sphere itself. It is only in this way that the state, above the *particular* churches; has attained to the universality of thought—its formal principle—and is bringing this universality into existence. (Hegel, *Philosophy of Right*, §270)

To be sure! Only in this manner, *above* the *particular* elements, can the state constitute itself as universality.

The perfected political state is, by its nature, the *species-life*[1] of Man as opposed to his material life. All the presuppositions of this egoistic life continue to exist in *civil society outside* the political sphere, as qualities of civil society. Where the political state has attained to its full development, man leads, not only in thought, in consciousness, but in *reality*, in *life*, a double existence—celestial and terrestrial. He lives in the *political community* where he regards himself as a *communal being*, and in *civil society*, where he acts simply as a private individual, treats other men as means, degrades himself to the role of a mere means, and becomes the plaything of alien powers. The political state, in relation to civil society, is just as spiritual as is heaven in relation to earth. It stands in the same opposition to civil society, and overcomes it in the same manner as religion overcomes the narrowness of the profane world; i.e., it has always to acknowledge it again, re-establish it, and allow itself to be dominated by it. Man in his *most intimate* reality, in civil society, is a profane[2] being. Here, where he appears both to himself and to others as a real individual he is an *illusory* phenomenon. In the state, on the contrary, where he is regarded as a species-being, man, is the imaginary member of an imaginary sovereignty, divested of his real individual life, and infused with an unreal universality.

The conflict in which the individual, as the professor[3] of a *particular* religion, finds himself involved with his own quality of citizenship and with other men as members of the community, may be resolved into the *secular* schism between the *political* state and *civil society*. For man as a *bourgeois*, "*life* in the state" is "only an appearance or a fleeting exception to the normal and essential." It is true that the *bourgeois*, like the Jew, participates in political life only in a sophistical way, just as the *citoyen*[4] is a Jew or a *bourgeois* only in a sophistical way. But this sophistry is not personal. It is the *sophistry of the political state* itself. The difference between the religious man and the citizen is the same as that between the shopkeeper and the citizens, between the day-laborer and the citizen, between the landed proprietor and the citizen, between the *living individual* and the *citizen*. The contradiction in which the religious man finds himself with the political man, is the same contradiction in which the *bourgeois* finds himself with the citizen, and the member of civil society with his *political lion's skin*.[5]

This secular opposition, to which the Jewish question reduces itself—the relation between the political state and its presuppositions, whether the latter are material elements such as private property, etc., or spiritual elements such as culture or religion, the conflict between the *general interest*, and *private interest*, the schism between the *political* state and *civil society*—*these* profane contradictions, Bauer leaves intact, while he directs his polemic against their *religious* expression.

> It is precisely this basis—that is, the needs which assure the existence of *civil society* and *guarantee its necessity*—*which* exposes its existence to continual danger, maintains an element of uncertainty in civil society, produces this continually changing compound of wealth and poverty, of prosperity and distress, and above all generates change.

Compare the whole section entitled "Civil society," which follows closely the distinctive features of Hegel's philosophy of right. Civil society, in its opposition to this political state, is recognized as necessary because the political state is recognized as necessary.

Political emancipation certainly represents a great progress. It is not, indeed, the final form of human emancipation, but it is the final form of human emancipation *within* the framework of the prevailing social order. It goes without saying that we are speaking here of real, practical emancipation.

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[1] *species-life* The term "species-life" (*Gattungsleben*) and "species-being" (*Gattungswesen*) are derived from the German materialist philosopher Ludwig Feuerbach (1804–72). In the first chapter of *Das Wesen des Christentums* [*The Essence of Christianity*], Feuerbach discusses the nature of humans and argues that we are to be distinguished from animals not by "consciousness" as such but by a particular kind of consciousness. Humans are not only conscious of themselves as individuals; they are also conscious of themselves as members of the human species and so they apprehend a "human essence" which is the same in all humans. According to Feuerbach this ability to conceive of "species" is the fundamental element in the human power of reasoning: "Science is the consciousness of species." Marx, while not departing from this meaning of the terms, employs them in other contexts; and he insists more strongly than Feuerbach that since this "species-consciousness" defines the nature of the human, humans are only living and acting authentically (i.e., in accordance with their nature) when they live and act deliberately as a "species-being," that is, as a *social* being.

[2] *profane* Not a matter of religion.

[3] *professor* One who claims belief.

[4] *citoyen* French: *citizen*—that is, the individual with political rights.

[5] *with his political lion's skin* Disguised as a frighteningly powerful individual.

Man emancipates himself *politically* from religion by expelling it from the sphere of public law to that of private law. Religion is no longer the spirit of the state, in which man behaves, albeit in a specific and limited way and in a particular sphere, as a species-being, in community with other men. It has become the spirit of *civil society*, of the sphere of egoism and of the *bellum omnium contra omnes.*[1] It is no longer the essence of *community*, but the essence of *differentiation.* It has become what it was at the *beginning*, an expression of the fact that man is *separated* from the *community*, from himself and from other men. It is now only the abstract avowal of an individual folly, a private whim or caprice. The infinite fragmentation of religion in North America, for example, already gives it the *external* form of a strictly private affair. It has been relegated among the numerous private interests and exiled from the life of the community as such. But one should have no illusions about the scope of political emancipation. The division of man into the *public person* and the *private person*, the *displacement* of religion from the state to civil society—all this is not a stage in political emancipation but its consummation. Thus political emancipation does not abolish, and does not even strive to abolish, man's *real* religiosity.

The *decomposition* of man into Jew and citizen, Protestant and citizen, religious man and citizen, is not a deception practiced *against* the political system nor yet an evasion of political emancipation. It is *political emancipation itself*, the *political* mode of emancipation from religion. Certainly, in periods when the political state as such comes violently to birth in civil society, and when men strive to liberate themselves through political emancipation, the state can, and must, proceed to *abolish and destroy religion*; but only in the same way as it proceeds to abolish private property, by declaring a maximum, by confiscation, or by progressive taxation,[2] or in the same way as it proceeds to abolish life, by the *guillotine.* At those times when the state is most aware of itself, political life seeks to stifle its own prerequisites—civil society and its elements—and to establish itself as the genuine and harmonious species-life of man. But it can only achieve this end by setting itself in *violent* contradiction with its own conditions of existence, by declaring a *permanent* revolution. Thus the political drama ends necessarily with the restoration of religion, of private property, of all the elements of civil society, just as war ends with the conclusion of peace.

In fact, the perfected Christian state is not the so-called *Christian* state which acknowledges Christianity as its basis, as the state religion, and thus adopts an exclusive attitude towards other religions; it is, rather, the *atheistic* state, the democratic state, the state which relegates religion among the other elements of civil society. The state which is still theological, which still professes officially the Christian creed, and which has not yet dared to declare itself a *state*, has not yet succeeded in expressing in a human and *secular* form, in its political *reality*, the human basis of which Christianity is the transcendental expression. The so-called Christian state is simply a *non-state*; since it is not Christianity as a religion, but only the *human core* of the Christian religion which can realize itself in truly human creations.

The so-called Christian state is the Christian negation of the state, but not at all the political realization of Christianity. The state which professes Christianity as a religion does not yet profess it in a political form, because it still has a religious attitude towards religion. In other words, such a state is not the *genuine realization* of the human basis of religion, because it still accepts the *unreal, imaginary* form of this human core. The so-called Christian state is an *imperfect* state, for which the Christian religion serves as the *supplement* and *sanctification* of its imperfection. Thus religion becomes necessarily one of its *means*; and so it is the *hypocritical* state. There is a great difference between saying: (i) that the *perfect* state, owing to a deficiency in the general *nature* of the state, counts religion as one of its *prerequisites*, or (ii) that the *imperfect* state, owing to a deficiency in its *particular existence* as an imperfect state, declares that religion is its *basis.* In the latter, religion becomes *imperfect politics.* In the former, the imperfection even of perfected *politics* is revealed in religion. The so-called Christian state needs the Christian religion in order to complete itself *as a state.* The democratic state, the real state, does not need religion for its political consummation. On the contrary, it can dispense with religion, because in this case the human core of religion is realized in a profane manner. The so-called Christian state, on the other hand, has a political attitude towards religion, and a religious attitude towards politics. It reduces political institutions and religion to mere appearances.

In order to make this contradiction clearer we shall examine Bauer's model of the Christian state, a model which is derived from his study of the German-Christian state.

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[1] *bellum omnium contra omnes* Latin: *war of each against all.* This is Hobbes's phrase in *Leviathan*, describing the "State of Nature."

[2] *progressive taxation* System of taxation under which higher incomes are taxed at progressively higher rates.

> Quite recently, [says Bauer] in order to demonstrate the *impossibility* or the *non-existence* of a Christian state, those passages in the Bible have been frequently quoted with which the state *does not conform* and *cannot conform unless* it *wishes* to *dissolve itself entirely.*
>
> But the question is not so easily settled. What do these Biblical passages demand? Supernatural renunciation, submission to the authority of revelation, turning away from the state, the abolition of profane conditions. But the Christian state proclaims and accomplishes all these things. It has assimilated the *spirit of the Bible*, and if it does not reproduce it exactly in the terms which the Bible uses, that is simply because it expresses this spirit in political forms, in forms which are borrowed from the political system of this world but which, in the religious rebirth which they are obliged to undergo, are reduced to simple appearances. Man turns away from the state and by this means realizes and completes the political institutions.

Bauer continues by showing that the members of a Christian state no longer constitute a nation with a will of its own. The nation has its true existence in the leader to whom it is subjected, but this leader is, by his origin and nature, alien to it since he has been imposed by God without the people having any part in the matter. The laws of such a nation are not its own work, but are direct revelations. The supreme leader, in his relations with the real nation, the masses, requires privileged intermediaries; and the nation itself disintegrates into a multitude of distinct spheres which are formed and determined by chance, are differentiated from each other by their interests and their specific passions and prejudices, and acquire as a privilege the permission to isolate themselves from each other, etc.

But Bauer himself says: "Politics, if it is to be nothing more than religion, should not be politics; any more than the scouring of pans, if it is treated as a religious matter, should be regarded as ordinary housekeeping." But in the German-Christian state religion is an "economic matter" just as "economic matters" are religion. In the German-Christian state the power of religion is the religion of power.

The separation of the "spirit of the Bible" from the "letter of the Bible" is an *irreligious* act. The state which expresses the Bible in the letter of politics, or in any letter other than that of the Holy Ghost, commits sacrilege, if not in the eyes of men at least in the eyes of its own religion. The state which acknowledges the Bible as its charter and Christianity as its supreme rule must be assessed according to the words of the Bible; for even the language of the Bible is sacred. Such a state, as well as the *human rubbish* upon which it is based, finds itself involved in a painful contradiction, which is insoluble from the standpoint of religious consciousness, when it is referred to those words of the Bible "with which it does not conform and *cannot conform unless it wishes to dissolve itself entirely.*" And why does it not wish to dissolve itself entirely? The state itself cannot answer either itself or others. In its own consciousness the official Christian state is an "ought" whose realization is impossible. It cannot affirm the *reality* of its own existence without lying to itself, and so it remains always in its own eyes an object of doubt, an uncertain and problematic object. Criticism is, therefore, entirely within its rights in forcing the state, which supports itself upon the Bible, into a total disorder of thought in which it no longer knows whether it is *illusion* or *reality*; and in which the infamy of its *profane* ends (for which religion serves as a cloak) enter into an insoluble conflict with the probity of its *religious* consciousness (for which religion appears as the goal of the world). Such a state can only escape its inner torment by becoming the *myrmidon*[1] of the Catholic Church. In the face of this Church, which asserts that secular power is entirely subordinate to its commands, the state is powerless; powerless the secular power which claims to be the rule of the religious spirit.

What prevails in the so-called Christian state is not man but alienation. The only man who counts—the *King*—is specifically differentiated from other men and is still a religious being associated directly with heaven and with God. The relations which exist here are relations still based upon *faith*. The religious spirit is still not really secularized.

But the religious spirit cannot be *really* secularized. For what is it but the *non-secular* form of a stage in the development of the human spirit? The religious spirit can only be realized if the stage of development of the human spirit which it expresses in religious form, manifests and constitutes itself in its *non-secular* form. This is what happens in the *democratic* state. The basis of this state is not Christianity but the *human basis* of Christianity. Religion remains the ideal, non-secular consciousness of its members, because it is the ideal form of the *stage of human development* which has been attained.

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[1] *myrmidon* Faithful follower; one who obeys orders unquestioningly.

The members of the political state are religious because of the dualism between individual life and species-life, between the life of civil society and political life. They are religious in the sense that man treats political life, which is remote from his own individual existence, as if it were his true life; and in the sense that religion is here the spirit of civil society and expresses the separation and withdrawal of man from man. Political democracy is Christian in the sense that man, not merely one man but every man, is there considered a sovereign being, a supreme being; but it is uneducated, unsocial man, man just as he is in his fortuitous existence, man as he has been corrupted, lost to himself, alienated, subjected to the rule of inhuman conditions and elements, by the whole organization of our society—in short man who is not yet a *real* species-being. Creations of fantasy, dreams, the postulates of Christianity, the sovereignty of man—but of man as an alien being distinguished from the real man—all these become, in democracy, the tangible and present reality, secular maxims.

In the perfected democracy, the religious and theological consciousness appears to itself all the more religious and theological in that it is apparently without any political significance or terrestrial aims, is an affair of the heart withdrawn from the world, an expression of the limitations of reason, a product of arbitrariness and fantasy, a veritable life in the beyond. Christianity here attains the *practical* expression of its universal religious significance, because the most varied views are brought together in the form of Christianity, and still more because Christianity does not ask that anyone should profess Christianity, but simply that he should have some kind of religion. The religious consciousness runs riot in a wealth of contradictions and diversity.

We have shown, therefore, that political emancipation from religion leaves religion in existence, although this is no longer a privileged religion. The contradiction in which the adherent of a particular religion finds himself in relation to his citizenship is only *one aspect* of the universal *secular contradiction between the political state and* civil society. The consummation of the Christian state is a state which acknowledges itself simply as a state and ignores the religion of its members. The emancipation of the state from religion is not the emancipation of the real man from religion.

We do not say to the Jews, therefore, as does Bauer: you cannot be emancipated politically without emancipating yourselves completely from Judaism. We say rather: it is because you can be emancipated politically, without renouncing Judaism complete and absolutely, that *political emancipation* itself is not *human* emancipation. If you want to be politically emancipated, without emancipating yourselves humanly, the inadequacy and the contradiction is not entirely in yourselves but in the *nature* and the *category* of political emancipation. If you are preoccupied with this category you share the general prejudice. Just as the state *evangelizes*[1] when, although it is a state, it adopts a Christian attitude towards the Jews, the Jew *acts politically* when, though a Jew, he demands civil rights.

But if a man, though a Jew, can be emancipated politically and acquire civil rights, can he claim and acquire what are called the *rights of man?* Bauer *denies* it.

> The question is whether the Jew as such, that is, the Jew who himself avows that he is constrained by his true nature to live eternally separate from men, is able to acquire and to concede to others the *universal rights of man.*
>
> The idea of the rights of man was only discovered in the Christian world, in the last century. It is not an innate idea; on the contrary, it is acquired in a struggle against the historical traditions in which man has been educated up to the present time. The rights of man are not, therefore a gift of nature, nor a legacy from past history, but the reward of a struggle against the accident of birth and against the privileges which history has hitherto transmitted from generation to generation. They are the results of culture, and only he can possess them who has merited and earned them.
>
> But can the Jew really take possession of them? As long as he remains Jewish the limited nature which makes him a Jew must prevail over the human nature which should associate him, as a man, with other men; and it will isolate him from everyone who is not a Jew. He declares, by this separation, that the particular nature which makes him Jewish is his true and supreme nature, before which human nature has to efface itself.
>
> Similarly, the Christian as such cannot grant the rights of man.

According to Bauer man has to sacrifice the "*privilege of faith*" in order to acquire the general rights of man. Let us consider for a moment the so-called rights of man; let us examine them in their most authentic form, that which they have among those who have *discovered* them, the North Americans and the French! These rights of man are, in part, *political rights*, which can only be exercised if one is a member of a community. Their content is *participation* in the *community* life, in the *political* life of the community, the life of the state. They fall in the category of *political liberty*, of *civil rights*, which as we have seen do not at all presuppose the consistent and positive abolition of religion; nor consequently, of Judaism. It remains to consider the other part, namely the *rights of man* as distinct from the *rights of the citizen.*

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[1] *evangelizes* Seeks to win religious converts.

Among them is to be found the freedom of conscience, the right to practice a chosen religion. The *privilege of faith* is expressly recognized, either as a *right of man* or as a consequence of a right of man, namely liberty. *Declaration of the Rights of Man and of the Citizen*, 1791, Article 10: "No one is to be disturbed on account of his opinions, even religious opinions." There is guaranteed, as one of the rights of man, "the liberty of every man to practice the *religion* to which he adheres."

The *Declaration of the Rights of Man, etc.* 1793, enumerates among the rights of man (Article 7): "The liberty of religious observance." Moreover, it is even stated, with respect to the right to express ideas and opinions, to hold meetings, to practice a religion, that: "The necessity of enunciating these *rights* presupposes either the existence or the recent memory of despotism." Compare the Constitution of 1795, Section 12, Article 354.

Constitution of Pennsylvania, Article 9, S 3: "All men have received from nature the imprescriptible[1] *right* to worship the Almighty according to the dictates of their conscience, and no one can be legally compelled to follow, establish or support against his will any religion or religious ministry. No human authority can, in any circumstances intervene in a matter of conscience or control the forces of the soul."

Constitution of New Hampshire, Articles 5 and 6: "Among these natural rights some are by nature inalienable[2] since nothing can replace them. The rights of conscience—are among them."

The incompatibility between religion and the rights of man is so little manifest in the concept of the rights of man that the *right to be religious*, in one's own fashion, and to practice one's own particular religion, is expressly included among the rights of man. The privilege of faith is a *universal right of man.*

A distinction is made between the rights of man and the rights of the citizen. Who is this *man* distinct from the *citizen?* No one but the *member of civil society.* Why is the member of civil society called "man," simply man, and why are his rights called the "rights of man"? How is this fact to be explained? By the relation between the political state and civil society, and by the nature of political emancipation.

Let us notice first of all that the so-called *rights of man*, as distinct from the *rights of the citizen*, are simply the *rights of a member of civil society*, that is, of egoistic man, of man separated from other men and from the community. The most radical constitution, that of 1793, says: "These rights, etc. (the natural and imprescriptible rights) are: *equality, liberty, security, property*" (*Declaration of the Rights of Man and of the Citizen*, Article 2*)*.

What Constitutes Liberty?

Article 6 (*Declaration of the Rights of Man and of the Citizen*). "Liberty is the power which man has to do everything which does not harm the rights of others."

Liberty is, therefore, the right to do everything which does not harm others. The limits within which each individual can act without harming others are determined by law, just as the boundary between two fields is marked by a stake. It is a question of the liberty of man regarded as an isolated monad, withdrawn into himself. Why, according to Bauer, is the Jew not fitted to acquire the rights of man? "As long as he remains Jewish the limited nature which makes him a Jew must prevail over the human nature which should associate him, as a man, with other men; and it will isolate him from everyone who is not a Jew." But liberty as a right of man is not founded upon the relations between man and man, but rather upon the separation of man from man. It is the right of such separation. The right of the *circumscribed* individual, withdrawn into himself.

The practical application of the right of liberty is the right of private property. What constitutes the right of private property?

Article 16 (*Constitution of 1793*). "The right of *property* is that which belongs to every citizen of enjoying and disposing *as he will* of his goods and revenues, of the fruits of his work and industry."

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[1] *imprescriptible* Cannot be legally taken away.

[2] *inalienable* Not able to be taken away.

The right of property is, therefore, the right to enjoy one's fortune and to dispose of it as one will; without regard for other men and independently of society. It is the right of self-interest. This individual liberty, and its application, form the basis of civil society. It leads every man to see in other men, not the *realization*, but rather the *limitation* of his own liberty. It declares above all the right "to enjoy and to dispose *as one will*, one's goods and revenues, the fruits of one's work and industry."

There remain the other rights of man, equality and security.

The term "equality" has here no political significance. It is only the equal right to liberty as defined above; namely that every man is equally regarded as a self-sufficient monad.[1] The Constitution of 1795 defines the concept of liberty in this sense.

Article 5 (*Constitution* of 1795). "Equality consists in the fact that the law is the same for all, whether it protects or punishes."

And Security?

Article 8 (*Constitution of 1793*). "Security consists in the protection afforded by society to each of its members for the preservation of his person, his rights, and his property."

Security is the supreme social concept of civil society; the concept of the police. The whole society exists only in order to guarantee for each of its members the preservation of his person, his rights, and his property. It is in this sense that Hegel calls civil society "the state of need and of reason."

The concept of security is not enough to raise civil society above its egoism. Security is, rather, the *assurance* of its egoism.

None of the supposed rights of man, therefore, go beyond the egoistic man, man as he is, as a member of civil society; that is an individual separated from the community, withdrawn into himself, wholly preoccupied with his private interest and acting in accordance with his private caprice. Man is far from being considered, in the rights of man, as species-being; on the contrary, species-life itself—society—appears as a system which is external to the individual and as a limitation of his original independence. The only bond between men is natural necessity, need and private interest, the preservation of their property and their egoistic persons.

It is difficult enough to understand that a nation which has just begun to liberate itself, to tear down all the barriers between different sections of the people and to establish a political community, should solemnly proclaim (*Declaration of 1791*) the rights of the egoistic man, separated from the community, and should renew this proclamation at a moment when only the most heroic devotion can save the nation (and is, therefore, urgently called for), and when the sacrifice of all the interests of civil society is in question and egoism should be punished as a crime (*Declaration of the Rights of Man, etc.* 1793). The matter becomes still more incomprehensible when we observe that the political liberators reduce citizenship, the *political community*, to a *mere means* for preserving these so-called rights of man; and consequently, that the citizen is declared to be the servant of egoistic "man," that the sphere in which man functions as a partial being, and finally that it is man as bourgeois and not man as a citizen who is considered the *true* and *authentic* man.

"The end of every *political association is* the *preservation* of the natural and imprescriptible rights of man (*Declaration of the Rights of Man,* 1791). "Government is instituted in order to guarantee man's enjoyment of his natural and imprescriptible rights" (*Declaration, etc.* 1793). Thus, even in the period of its youthful enthusiasm, which is raised to fever pitch by the force of circumstances, political life declares itself to be only a *means*, whose end is the life of civil society. It is true that its revolutionary practice is in flagrant contradiction with its theory. While, for instance, security is declared to be one of the rights of man, the violation of the privacy of correspondence is openly considered. While the "unlimited freedom of the press" (*Constitution* of 1793), as a corollary of the right of individual liberty, is guaranteed, the freedom of the press is completely destroyed, since "the freedom of the press should not be permitted when it endangers public liberty" (Buchez et Roux, "Robespierre jeune," *Histoire parlementaire de la Révolution française*, volume 28).[2] This amounts to saying: the right to liberty ceases to be a right as soon as it comes into conflict with *political* life, whereas in theory political life is no more than the guarantee of the rights of man—the rights of the individual man—and should, therefore, be suspended as soon as it comes into contradiction with its *end*, these rights of man. But practice is only the exception, while theory is the rule. Even if one decided to regard revolutionary practice as the correct expression of this relation, the problem would remain as to why it is that in the minds of political liberators the relation is inverted, so that the end appears as the means and the means as the end? This optical illusion of their consciousness would always remain a problem, though a psychological and theoretical one.

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[1] *monad* Self-sufficient independent basic entity—not subject to further analysis.

[2] *Buchez et Roux … la Révolution française* French: Buchez and Roux, "Young Robespierre" in the *Parlimentary History of the French Revolution*, volume 28.

But the problem is easily solved.

Political emancipation is at the same time the *dissolution* of old society, upon which the sovereign power, the alienated political life of the people, rests. Political revolution is a revolution of civil society. What was the nature of the old society? It can be characterized in one word: feudalism. The old civil society had a *directly political* character; that is, the elements of civil life such as property, the family, and types of occupation had been raised, in the form of lordship, caste[1] and guilds,[2] to elements of political life. They determined, in this form, the relation of the individual to the *state as a whole*; that is, his *political* situation, or in other words, his separation and exclusion from the other elements of society. For this organization of national life did not constitute property and labor as social elements; it rather succeeded in *separating* them from the body of the state, and made them *distinct* societies within society. Nevertheless, at least in the feudal sense, the vital functions and conditions of civil society remained political. They excluded the individual from the body of the state, and transformed the *particular* relation which existed between his corporation and the state into a general relation between the individual and social life, just as they transformed his specific civil activity and situation into a general activity and situation. As a result of this organization, the state as a whole and its consciousness, will and activity—the general political power—also necessarily appeared as the *private* of a ruler and his servants, separated from the people.

The political revolution which overthrew this power of the ruler, which made state affairs the affairs of the people, and the political state a matter of *general* concern, i.e., a real state, necessarily shattered everything—estates, corporations, guilds, privileges—which expressed the separation of the people from community life. The political revolution therefore *abolished* the *political character of civil society*. It dissolved civil society into its basic elements, on the one hand *individuals*, and on the other hand the *material and cultural elements* which formed the life experience and the civil situation of these individuals. It set free the political spirit which had, so to speak, been dissolved, fragmented and lost in the various culs-de-sac[3] of feudal society; it reassembled these scattered fragments, liberated the political spirit from its connexion with civil life and made of it the community sphere, the *general* concern of the people, in principle independent of these particular elements of civil life. A *specific* activity and situation in life no longer had any but an individual significance. They no longer constituted the general relation between the individual and the state as a whole. Public affairs as such became the general affair of each individual, and political functions became general functions.

But the consummation of the idealism of the state was at the same time the consummation of the materialism of civil society. The bonds which had restrained the egoistic spirit of civil society were removed along with the political yoke. Political emancipation was at the same time an emancipation of civil society from politics and from even the *semblance* of a general content.

Feudal society was dissolved into its basic element, *man*; but into *egoistic* man who was its real foundation.

Man in this aspect, the member of civil society, is now the foundation and presupposition of the *political* state. He is recognized as such in the rights of man.

But the liberty of egoistic man, and the recognition of this liberty, is rather the recognition of the *frenzied* movement of the cultural and material elements which form the content of his life.

Thus man was not liberated from religion; he received religious liberty. He was not liberated from property; he received the liberty to own property. He was not liberated from the egoism of business; he received the liberty to engage in business.

The *formation* of the *political state*, and the dissolution of civil society into independent *individuals* whose relations are regulated by *law*, as the relations between men in the corporations and guilds regulated by *privilege*, are accomplished by one *and the same act*. Man as a member of civil society—*non-political* man—necessarily appears as natural man. The rights of man appear as natural rights because *conscious* activity is concentrated upon political *action. Egoistic* man is the *passive, given* result of the dissolution of society, an object of *direct apprehension* and consequently a *natural* object. The *political revolution* dissolves civil society into its elements without *revolutionizing* these elements themselves or subjecting them to criticism. This revolution regards civil society, the sphere of human needs, labor, private interests and civil law, as the *basis of its* own *existence*, as a self-subsistent *precondition*, and thus as its *natural basis.* Finally, man as a member of civil society is identified with *authentic man*, man as distinct from citizen, because he is man in his sensuous, individual and *immediate* existence, whereas *political* man is only abstract, artificial man, man as an *allegorical, moral* person. Thus man as he really is, is seen only in the form of *egoistic* man, and man in his true nature only in the form of the *abstract citizen.*

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[1] *caste* Hereditary social class within a rigid societal system.

[2] *guilds* Medieval European organizations of craftspeople, with strong political power.

[3] *culs-de-sac* Dead-ends.

> The abstract notion of political man is well formulated by Rousseau:
>
> Whoever dares undertake to establish a people's institutions must feel himself capable of *changing*, as it were, *human nature* itself, of *transforming* each individual who, in isolation, is a complete but solitary whole, into a *part* of something greater than himself, from which in a sense, he derives his life and his being; [of changing man's nature in order to strengthen it;] of substituting a limited and moral existence for the physical and independent life [with which all of us are endowed by nature]. His task, in short, is to take from *a man his own powers*, and to give him in exchange alien powers which he can only employ with the help of other men. (J.J. Rousseau, *The Social Contract*, Book 2, Chapter 7, "The Legislator")

Every emancipation is a *restoration* of the human world and of human relationships to *man himself.*

Political emancipation is a reduction of man, on the one hand to a member of civil society, an *independent* and *egoistic* individual, and on the other hand, to a *citizen*, to a moral person.

Human emancipation will only be complete when the real, individual man has absorbed into himself the abstract citizen; when as an individual man, in his everyday life, in his work, and in his relationships, he has become a *species-being*; when he has recognized and organized his own powers (*forces propres*) as social powers so that he no longer separates this *social* power from himself as *political* power.

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On Bruno Bauer's *The Capacity for the Present-day Jews and Christians to Become Free* (1843)

It is in this form that Bauer studies the relation between the *Jewish and Christian religions*, and also their relation with modern criticism. This latter relation is their relation with "the capacity to become free."

He reaches this conclusion: "The Christian has only to raise himself one degree, to rise above his religion, in order to abolish religion in general," and thus to become free; but "the Jew, on the contrary, has to break not only with his Jewish nature, but also with the process towards the consummation of his religion, a process which has remained alien to him."[1]

Thus Bauer here transforms the question of Jewish emancipation into a purely religious question. The theological doubt about whether the Jew or the Christian has the better chance of attaining salvation is reproduced here in the more enlightened form: which of the two is more *capable of emancipation*? It is indeed no longer asked: which makes free—Judaism or Christianity? On the contrary, it is now asked: which makes free—the negation of Judaism or the negation of Christianity?

"If they wish to become free the Jews should not embrace Christianity as such, but Christianity in dissolution, religion in dissolution; that is to say, the Enlightenment, criticism, and its outcome, a free humanity."

It is still a matter, therefore, of the Jews professing some kind of faith; no longer Christianity as such, but Christianity in dissolution.

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[1] *The Christian … to him* Unless otherwise noted, Marx's quotations from Bauer in this section are all from *The Capacity for the Present-day Jews and Christians to Become Free.*

Economic and Philosophical Manuscripts (1844)

Estranged[1] *Labor*

We have proceeded from the premises of political economy.[2] We have accepted its language and its laws. We presupposed private property, the separation of labor, capital and land, and of wages, profit of capital and rent of land—likewise division of labor, competition, the concept of exchange-value, etc. On the basis of political economy itself, in its own words, we have shown that the worker sinks to the level of a commodity and becomes indeed the most wretched of commodities; that the wretchedness of the worker is in proportion to the power and magnitude of his production;[3] that the necessary result of competition is the accumulation of capital in a few hands, and thus the restoration of monopoly in a more terrible form; that finally the distinction between capitalist and land-rentier,[4] like that between the tiller of the soil and the factory-worker, disappears and that the whole of society must fall apart into the two classes—the *property-owners* and the propertyless *workers.*

Political economy proceeds from the fact of private property, but it does not explain it to us. It expresses in general, abstract formulae the *material* process through which private property actually passes, and these formulae it then takes for *laws.* It does not *comprehend* these laws—i.e., it does not demonstrate how they arise from the very nature of private property. Political economy does not disclose the source of the division between labor and capital, and between capital and land. When, for example, it defines the relationship of wages to profit, it takes the interest of the capitalists to be the ultimate cause; i.e., it takes for granted what it is supposed to evolve. Similarly, competition comes in everywhere. It is explained from external circumstances. As to how far these external and apparently fortuitous circumstances are but the expression of a necessary course of development, political economy teaches us nothing. We have seen how, to it, exchange itself appears to be a fortuitous fact. The only wheels which political economy sets in motion are *avarice* and the *war amongst the avaricious—competition.*

Precisely because political economy does not grasp the connections within the movement, it was possible to counterpose,[5] for instance, the doctrine of competition to the doctrine of monopoly, the doctrine of craft-liberty to the doctrine of the corporation, the doctrine of the division of landed property to the doctrine of the big estate—for competition, craft-liberty and the division of landed property were explained and comprehended only as fortuitous, premeditated and violent consequences of monopoly, the corporation, and feudal property, not as their necessary, inevitable and natural consequences.

Now, therefore, we have to grasp the essential connection between private property, avarice, and the separation of labor, capital and landed property; between exchange and competition, value and the devaluation of men, monopoly and competition, etc.; the connection between this whole estrangement and the *money*-system.

Do not let us go back to a fictitious primordial condition as the political economist does, when he tries to explain. Such a primordial condition explains nothing. He merely pushes the question away into a grey nebulous distance. He assumes in the form of fact, of an event, what he is supposed to deduce—namely, the necessary relationship between two things—between, for example, division of labor and exchange. Theology in the same way explains the origin of evil by the fall of man: that is, it assumes as a fact, in historical form, what has to be explained.

We proceed from an *actual*[6] economic fact.

The worker becomes all the poorer the more wealth he produces, the more his production increases in power and range. The worker becomes an ever cheaper commodity the more commodities he creates. With the increasing value of the world of things proceeds in direct proportion the devaluation of the world of men.[7] Labor produces not only commodities; it produces itself and the worker as a commodity—and does so in the proportion in which it produces[1] commodities generally.[2]

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[1] *Estranged* This important term (German: *entfremdete*) is also often translated as "alienated."

[2] *political economy* By this term, Marx refers to classical macroeconomics—the work of Adam Smith, David Ricardo, David Hume, and Thomas Malthus, investigating the laws of large-scale production and exchange. He means that his thought *starts* from this outlook—but he goes on to criticize it.

[3] *that the wretchedness ... production* I.e., the less power the worker has, the more he has to work, and the more miserable he is.

[4] *land-rentier* In pre-industrial society, a land-owner who did not labor himself, but lived off the rent charged to farmers on his property.

[5] *counterpose* Oppose—set in opposition to each other.

[6] *actual* The word in the original (German: *gegenwärtigen*) is sometimes translated *contemporary.*

[7] *With the increasing ... world of men* I.e., the increase in value of the world of things is in direct relation to the decrease in value of the human world.

This fact expresses merely that the object which labor produces—labor's product—confronts it as *something alien*, as a *power independent* of the producer. The product of labor is labor which has been congealed in an object, which has become material: it is the *objectification* of labor.[3] Labor's realization[4] is its objectification. In the conditions dealt with by political economy this realization of labor appears as *loss of reality* for the workers; objectification as *loss of the object* and *object-bondage*;[5] appropriation as *estrangement*, as *alienation.*

So much does labor's realization appear as loss of reality that the worker loses reality to the point of starving to death. So much does objectification appear as loss of the object that the worker is robbed of the objects most necessary not only for his life but for his work. Indeed, labor itself becomes an object which he can get hold of only with the greatest effort and with the most irregular interruptions. So much does the appropriation of the object appear as estrangement that the more objects the worker produces the fewer can he possess and the more he falls under the dominion of his product, capital.

All these consequences are contained in the definition that the worker is related to the *product of his labor* as to an *alien* object. For on this premise it is clear that the more the worker spends himself, the more powerful the alien objective world becomes which he creates over-against himself, the poorer he himself—his inner world—becomes, the less belongs to him as his own. It is the same in religion. The more man puts into God, the less he retains in himself. The worker puts his life into the object; but now his life no longer belongs to him but to the object. Hence, the greater this activity, the greater is the worker's lack of objects. Whatever the product of his labor is, he is not. Therefore the greater this product, the less is he himself. The *alienation* of the worker in his product means not only that his labor becomes an object, an *external* existence, but that it exists *outside him*, independently, as something alien to him, and that it becomes a power of its own confronting him; it means that the life which he has conferred on the object confronts him as something hostile and alien.

Let us now look more closely at the *objectification*, at the production of the worker; and therein at the *estrangement*, the *loss* of the object, his product.

The worker can create nothing without *nature*, without the *sensuous*[6] *external world.* It is the material on which his labor is manifested, in which it is active, from which and by means of which it produces.

But just as nature provides labor with the *means* of *life*, in the sense that labor cannot *live* without objects on which to operate, on the other hand, it also provides the *means of life* in the more restricted sense—i.e., the means for the physical subsistence of the *worker* himself.

Thus the more the worker by his labor *appropriates* the external world, sensuous nature, the more he deprives himself of *means of life* in the double respect: first, that the sensuous external world more and more ceases to be an object belonging to his labor—to be his labor's *means of life*; and secondly, that it more and more ceases to be *means of life* in the immediate sense, means for the physical subsistence of the worker.

Thus in this double respect the worker becomes a slave of his object, first, in that he receives an *object of labor*, i.e., in that he receives *work*; and secondly, in that he receives *means of subsistence.* Therefore, it enables him to exist, first, as a *worker*; and, second, as a *physical subject.* The extremity of this bondage is that it is only as a *worker* that he continues to maintain himself as a *physical subject*, and that it is only as a *physical subject* that he is a *worker.*

(The laws of political economy express the estrangement of the worker in his object thus: the more the worker produces, the less he has to consume; the more values he creates, the more valueless, the more unworthy he becomes; the better formed his product, the more deformed becomes the worker; the more civilized his object, the more barbarous becomes the worker; the mightier labor becomes, the more powerless becomes the worker; the more ingenious labor becomes, the duller becomes the worker and the more he becomes nature's bondsman.)

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[1] *in the proportion in which it produces* I.e., in proportion to the production of.

[2] *commodities generally* I.e., labor is bought and sold just as other objects are.

[3] *The product … labor* Labor becomes an object—a thing—rather than what people *do*.

[4] *realization* This translates the German word *Verwirklichung*, *making-real.* This contrasts with the *making-unreal* (German: *Entwirklichung*) of the workers, referred to in the following sentence.

[5] *object-bondage* Slavery to the object.

[6] *sensuous* Appearing to our senses.

Political economy conceals the estrangement inherent in the nature of labor by not considering the direct relationship between the worker (labor) *and production.* It is true that labor produces for the rich wonderful things—but for the worker it produces privation. It produces palaces—but for the worker, hovels. It produces beauty—but for the worker, deformity. It replaces labor by machines—but some of the workers it throws back to a barbarous type of labor, and the other workers it turns into machines. It produces intelligence—but for the worker idiocy, cretinism.

The direct relationship of labor to its produce is the relationship of the worker to the objects of his production. The relationship of the man of means[1] to the objects of production and to production itself is only a *consequence* of this first relationship—and confirms it. We shall consider this other aspect later.

When we ask, then, what is the essential relationship of labor we are asking about the relationship of the *worker* to production.

Till now we have been considering the estrangement, the alienation of the worker only in one of its aspects, i.e., the worker's *relationship to the products of his labor.* But the estrangement is manifested not only in the result but in the *act of production* within the *producing activity* itself. How would the worker come to face the product of his activity as a stranger, were it not that in the very act of production he was estranging himself from himself? The product is after all but the summary of the activity of production. If then the product of labor is alienation, production itself must be active alienation, the alienation of activity, the activity of alienation. In the estrangement of the object of labor is merely summarized the estrangement, the alienation, in the activity of labor itself.

What, then, constitutes the alienation of labor?

First, the fact that labor is *external* to the worker, i.e., it does not belong to his essential being; that in his work, therefore, he does not affirm himself but denies himself, does not feel content but unhappy, does not develop freely his physical and mental energy but mortifies[2] his body and ruins his mind. The worker therefore only feels himself outside his work, and in his work feels outside himself. He is at home when he is not working, and when he is working he is not at home. His labor is therefore not voluntary, but coerced; it is *forced labor.* It is therefore not the satisfaction of a need; it is merely a *means* to satisfy needs external to it. Its alien character emerges clearly in the fact that as soon as no physical or other compulsion exists, labor is shunned like the plague. External labor, labor in which man alienates himself, is a labor of self-sacrifice, of mortification. Lastly, the external character of labor for the worker appears in the fact that it is not his own, but someone else's, that it does not belong to him, that in it he belongs, not to himself, but to another. Just as in religion the spontaneous activity of the human imagination, of the human brain and the human heart, operates independently of the individual—that is, operates on him as an alien, divine or diabolical activity—in the same way the worker's activity is not his spontaneous activity. It belongs to another; it is the loss of his self.

As a result, therefore, man (the worker) no longer feels himself to be freely active in any but his animal functions—eating, drinking, procreating, or at most in his dwelling and in dressing-up, etc.; and in his human functions he no longer feels himself to be anything but an animal. What is animal becomes human and what is human becomes animal.

Certainly eating, drinking, procreating, etc., are also genuinely human functions. But in the abstraction which separates them from the sphere of all other human activity and turns them into sole and ultimate ends, they are animal.

We have considered the act of estranging practical human activity, labor, in two of its aspects. (1) The relation of the worker to the *product of labor* as an alien object exercising power over him. This relation is at the same time the relation to the sensuous external world, to the objects of nature as an alien world antagonistically opposed to him. (2) The relation of labor to the *act* of *production* within the *labor* process. This relation is the relation of the worker to his own activity as an alien activity not belonging to him; it is activity as suffering, strength as weakness, begetting as emasculating, the worker's own physical and mental energy, his personal life or what is life other than activity—as an activity which is turned against him, neither depends on nor belongs to him. Here we have *self-estrangement,* as we had previously the estrangement of the *thing.*

We have yet a third aspect of *estranged labor* to deduce from the two already considered.

Man is a species being, not only because in practice and in theory he adopts the species as his object (his own as well as those of other things), but—and this is only another way of expressing it—but also because he treats himself as the actual, living species; because he treats himself as a *universal* and therefore a free being.[1]

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[1] *man of means* Property-owner.

[2] *mortifies* Imposes hardship on.

The life of the species, both in man and in animals, consists physically in the fact that man (like the animal) lives on inorganic nature; and the more universal man is compared with an animal, the more universal is the sphere of inorganic nature on which he lives. Just as plants, animals, stones, the air, light, etc., constitute a part of human consciousness in the realm of theory, partly as objects of natural science, partly as objects of art—his spiritual inorganic nature, spiritual nourishment which he must first prepare to make it palatable and digestible—so too in the realm of practice they constitute a part of human life and human activity. Physically man lives only on these products of nature, whether they appear in the form of food, heating, clothes, a dwelling, or whatever it may be. The universality of man is in practice manifested precisely in the universality which makes all nature his *inorganic* body—both inasmuch as nature is (1) his direct means of life, and (2) the material, the object, and the instrument of his life-activity. Nature is man's *inorganic body-nature*, that is, in so far as it is not itself the human body. Man *lives* on nature—means that nature is his *body*, with which he must remain in continuous intercourse[2] if he is not to die. That man's physical and spiritual life is linked to nature means simply that nature is linked to itself, for man is a part of nature.

In estranging from man (1) nature, and (2) himself, his own active functions, his life-activity, estranged labor estranges the *species* from man. It turns for him the *life of the species* into a means of individual life. First it estranges the life of the species and individual life, and secondly it makes individual life in its abstract form the purpose of the life of the species, likewise in its abstract and estranged form.

For in the first place labor, *life-activity, productive life* itself, appears to man merely as a *means* of satisfying a need—the need to maintain the physical existence. Yet the productive life is the life of the species. It is life-engendering life. The whole character of a species—its species character—is contained in the character of its life-activity; and free, conscious activity is man's species character. Life itself appears only as *a means* to *life*.

The animal is immediately identical with its life-activity. It does not distinguish itself from it. It is *its life-activity*. Man makes his life-activity itself the object of his will and of his consciousness. He has conscious life-activity. It is not a determination with which he directly merges. Conscious life-activity directly distinguishes man from animal life-activity. It is just because of this that he is a species being. Or it is only because he is a species being that he is a Conscious Being, i.e., that his own life is an object for him. Only because of that is his activity free activity. Estranged labor reverses this relationship, so that it is just because man is a conscious being that he makes his life-activity, his *essential being*, a mere means to his *existence*.

In creating an *objective world* by his practical activity, in *working-up*[3] inorganic nature, man proves himself a conscious species being, i.e., as a being that treats the species as its own essential being, or that treats itself as a species being. Admittedly animals also produce. They build themselves nests, dwellings, like the bees, beavers, ants, etc. But an animal only produces what it immediately needs for itself or its young. It produces one-sidedly, whilst man produces universally. It produces only under the dominion of immediate physical need, while man produces even when he is free from physical need and only truly produces in freedom therefrom.[4] An animal produces only itself, while man reproduces the whole of nature. An animal's product belongs immediately to its physical body, while man freely confronts his product. An animal forms things in accordance with the standard and the need of the species to which it belongs, whilst man knows how to produce in accordance with the standard of every species, and knows how to apply everywhere the inherent standard to the object. Man therefore also forms things in accordance with the laws of beauty.

It is just in the working-up of the objective world, therefore, that man first really proves himself to be a *species being*. This production is his active species life. Through and because of this production, nature appears as *his* work and his reality. The object of labor is, therefore, the *objectification*[1] *of man's species life*: for he duplicates himself not only, as in consciousness, intellectually, but also actively, in reality, and therefore he contemplates himself in a world that he has created. In tearing away from man the object of his production, therefore, estranged labor tears from him his *species life*, his real species objectivity, and transforms his advantage over animals into the disadvantage that his inorganic body, nature, is taken from him.

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[1] *he treats ... free being* I.e., humans (alone) can be conscious of their universal nature as a "species-being"—that is, of their general nature as a species—their general human nature; and this consciousness produces freedom. (Other animals, conscious only of their own particular needs, do not have this freedom.) Most male writers from the classical era through the nineteenth century use "man" either to refer exclusively to adult males or in a way that is nominally gender-inclusive but in practice presumes the male to be the norm and the female unworthy of notice. See, however, Marx and Engels' discussion of gender issues in *The Communist Manifesto*.

[2] *intercourse* Mutual dealings, social activity. Marx's German term "*Verkehr*," often translated in this way, refers particularly to economic activity.

[3] *working-up* Manipulating.

[4] *only truly produces in freedom therefrom* Truly produces only when free from this (physical need).

Similarly, in degrading spontaneous activity, free activity, to a means, estranged labor makes man's species life a means to his physical existence.

The consciousness which man has of his species is thus transformed by estrangement in such a way that the species life becomes for him a means.

Estranged labor turns thus:

(3) *Man's species being*, both nature and his spiritual species property, into a being *alien* to him, into a *means* to his *individual existence.* It estranges man's own body from him, as it does external nature and his spiritual essence, his *human* being.

(4) An immediate consequence of the fact that man is estranged from the product of his labor, from his life-activity, from his species being is the *estrangement of man* from *man.* If a man is confronted by himself, he is confronted by the *other* man. What applies to a man's relation to his work, to the product of his labor and to himself, also holds of a man's relation to the other man, and to the other man's labor and object of labor.

In fact, the proposition that man's species nature is estranged from him means that one man is estranged from the other, as each of them is from man's essential nature.

The estrangement of man, and in fact every relationship in which man stands to himself, is first realized and expressed in the relationship in which a man stands to other men.

Hence within the relationship of estranged labor each man views the other in accordance with the standard and the position in which he finds himself as a worker.

We took our departure from a fact of political economy—the estrangement of the worker and his production. We have formulated the concept of this fact—*estranged, alienated* labor. We have analyzed this concept—hence analyzing merely a fact of political economy.

Let us now see, further, how in real life the concept of estranged, alienated labor must express and present itself.

If the product of labor is alien to me, if it confronts me as an alien power, to whom, then, does it belong?

If my own activity does not belong to me, if it is an alien, a coerced activity, to whom, then, *does* it belong?

To a being *other* than me.

Who is this being?

The *gods?* To be sure, in the earliest times the principal production (for example, the building of temples, etc., in Egypt, India and Mexico) appears to be in the service of the gods, and the product belongs to the gods. However, the gods on their own were never the lords of labor. No more was[2] *nature.* And what a contradiction it would be if, the more man subjugated nature by his labor and the more the miracles of the gods were rendered superfluous by the miracles of industry, the more man were to renounce the joy of production and the enjoyment of the produce in favor of these powers.

The *alien* being, to whom labor and the produce of labor belongs, in whose service labor is done and for whose benefit the produce of labor is provided, can only be *man* himself.

If the product of labor does not belong to the worker, if it confronts him as an alien power, this can only be because it belongs to some *other man than the worker.* If the worker's activity is a torment to him, to another it must be *delight* and his life's joy. Not the gods, not nature, but only man himself can be this alien power over man.

We must bear in mind the above-stated proposition that man's relation to himself only becomes *objective* and *real* for him through his relation to the other man. Thus, if the product of his labor, his labor *objectified*, is for him an *alien*, hostile, powerful object independent of him, then his position towards it is such that someone else is master of this object, someone who is alien, hostile, powerful, and independent of him. If his own activity is to him an unfree activity, then he is treating it as activity performed in the service, under the dominion, the coercion and the yoke of another man.

Every self-estrangement of man from himself and from nature appears in the relation in which he places himself and nature to men other than and differentiated from himself.[3]

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[1] *objectification* Presentation in an external object.

[2] *No more was* Neither was.

[3] *Every … from himself* I.e., every self-estrangement of man, from himself and from nature, appears in the relation which he postulates between other men and himself and nature.

For this reason religious self-estrangement necessarily appears in the relationship of the layman to the priest, or again to a mediator, etc., since we are here dealing with the intellectual world. In the real practical world self-estrangement can only become manifest through the real practical relationship to other men. The medium through which estrangement takes place is itself *practical.* Thus through estranged labor man not only engenders his relationship to the object and to the act of production as to powers that are alien and hostile to him; he also engenders the relationship in which other men stand to his production and to his product, and the relationship in which he stands to these other men. Just as he begets his own production as the loss of his reality, as his punishment; just as he begets his own product as a loss, as a product not belonging to him; so he begets the dominion of the one who does not produce over production and over the product.[1] Just as he estranges from himself his own activity, so he confers to the stranger activity which is not his own.

Till now we have only considered this relationship from the standpoint of the worker and later we shall be considering it also from the standpoint of the non-worker.

Through *estranged, alienated labor*, then, the worker produces the relationship to this labor of a man alien to labor and standing outside it.[2] The relationship of the worker to labor engenders the relation to it of the capitalist, or whatever one chooses to call the master of labor. *Private property* is thus the product, the result, the necessary consequence, of *alienated labor*, of the external relation of the worker to nature and to himself.

Private property thus results by analysis from the concept of *alienated labor*—i.e., of *alienated man*, of estranged labor, of estranged life, of *estranged* man.

True, it is as a result of the *movement of private property* that we have obtained the concept of *alienated labor (of alienated life)* from political economy. But on analysis of this concept it becomes clear that though private property appears to be the source, the cause of alienated labor, it is really its consequence, just as the gods *in the beginning* are not the cause but the effect of man's intellectual confusion. Later this relationship becomes reciprocal.

Only at the very culmination of the development of private property does this, its secret, re-emerge, namely, that on the one hand it is the *product* of alienated labor, and that secondly it is the *means* by which labor alienates itself, the *realization of this alienation.*

This exposition immediately sheds light on various hitherto unsolved conflicts.

(1) Political economy starts from labor as the real soul of production; yet to labor it gives nothing, and to private property everything. From this contradiction Proudhon[3] has concluded in favor of labor and against private property. We understand, however, that this apparent contradiction is the contradiction of *estranged labor* with itself, and that political economy has merely formulated the laws of estranged labor.

We also understand, therefore, that *wages* and *private property* are identical: where the product, the object of labor pays for labor itself, the wage is but a necessary consequence of labor's estrangement, for after all in the wage of labor, labor does not appear as an end in itself but as the servant of the wage. We shall develop this point later, and meanwhile will only deduce some conclusions.

A *forcing-up*[4] *of wages* (disregarding all other difficulties, including the fact that it would only be by force, too, that the higher wages, being an anomaly, could be maintained) would therefore be nothing but *better payment for the slave*, and would not conquer either for the worker or for labor their human status and dignity.

Indeed, even the *equality of wages* demanded by Proudhon only transforms the relationship of the present-day worker to his labor into the relationship of all men to labor. Society is then conceived as an abstract capitalist.

Wages are a direct consequence of estranged labor, and estranged labor is the direct cause of private property. The downfall of the one aspect must therefore mean the downfall of the other.

(2) From the relationship of estranged labor to private property it further follows that the emancipation of society from private property, etc., from servitude, is expressed in the *political* form of the *emancipation of the workers*; not that *their* emancipation alone was at stake but because the emancipation of the workers contains universal human emancipation—and it contains this, because the whole of human servitude is involved in the relation of the worker to

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[1] *so he begets … over the product* In the same way he creates the domination of the non-producer over production and its product.

[2] *produces the relationship … standing outside it* I.e., creates the relation of another man to this labor—a man who does not work, and is outside the work process.

[3] *Proudhon* Pierre-Joseph Proudhon (1809–65), French political philosopher, one of the first anarchist theoreticians, famous for his slogan, "Property is theft!"

[4] *forcing-up* Enforced increase.

production, and every relation of servitude is but a modification and consequence of this relation.

Just as we have found the concept of *private property* from the concept of *estranged, alienated labor* by *analysis,* in the same way every *category* of political economy can be evolved with the help of these two factors; and we shall find again in each category, e.g., trade, competition, capital, money, only a *definite* and *developed expression* of the first foundations.

Before considering this configuration, however, let us try to solve two problems.

(1) To define the general *nature of private property*, as it has arisen as a result of estranged labor, in its relation to *truly human, social property.*

(2) We have accepted the *estrangement of labor*, its *alienation*, as a fact, and we have analyzed this fact. How, we now ask, does *man* come to *alienate*, to estrange, *his labor*? How is this estrangement rooted in the nature of human development? We have already gone a long way to the solution of this problem by *transforming* the question as to the *origin of private property* into the question as to the relation of *alienated labor* to the course of humanity's development. For when one speaks of *private property*, one thinks of being concerned with something external to man. When one speaks of labor, one is directly concerned with man himself. This new formulation of the question already contains its solution.

As to (1): *The general nature of private property and its relation* to *truly human property.*

Alienated labor has resolved itself for us into two elements which mutually condition one another, or which are but different expressions of one and the same relationship. *Appropriation* appears as *estrangement*, as *alienation*; and *alienation* appears as *appropriation, estrangement* as true *enfranchisement.*[1]

We have considered the one side—*alienated* labor in relation to the *worker* himself, i.e., the *relation of alienated labor to itself.* The *property-relation of the non-worker to the worker and to labor* we have found as the product, the necessary outcome of this relation of alienated labor. *Private property*, as the material, summary expression of alienated labor, embraces both relations—the *relation of the worker to work, to the product of his labor and to the non-worker*, and the relation of the *non-worker to the worker and to the product of his labor.*

Having seen that in relation to the worker who *appropriates* nature by means of his labor, this appropriation *appears* as estrangement, his own spontaneous activity as activity for another and as activity of another, vitality as a sacrifice of life, production of the object as loss of the object to an alien power, to an *alien* person—we shall now consider the relation to the worker, to labor and its object of this person who is *alien* to labor and the worker.

First it has to be noticed, that everything which appears in the worker as an *activity of alienation, of estrangement*, appears in the non-worker as a *state of alienation, of estrangement.*

Secondly, that the worker's *real, practical attitude* in production and to the product (as a state of mind) appears in the non-worker confronting him as a *theoretical* attitude.

Thirdly, the non-worker does everything against the worker which the worker does against himself; but he does not do against himself what he does against the worker.

Let us look more closely at these three relations.[2]

Private Property and Communism

The antithesis of *propertylessness* and *property* so long as it is not comprehended as the antithesis of *labor* and *capital*, still remains an antithesis of indifference, not grasped in its *active connection*, its *internal* relation—an antithesis not yet grasped as a *contradiction.* It can find expression in this *first* form even without the advanced development of private property (as in ancient Rome, Turkey, etc.). It does not yet *appear* as having been established by private property itself. But labor, the subjective essence of private property as exclusion of property, and capital, objective labor as exclusion of labor, constitute *private property* as its developed state of contradiction—hence a dynamic relationship moving inexorably to its resolution.

Re. the same page. The transcendence of self-estrangement[3] follows the same course as self-estrangement. *Private property* is first considered only in its objective aspect—but nevertheless with labor as its essence. Its form of existence is therefore *capital*, which is to be annulled[4] "as such" (Proudhon). Or a *particular form* of labor—labor leveled down, parceled, and therefore unfree—is conceived as the source of private property's *perniciousness* and of its existence in estrangement from men; for instance, *Fourier*,[1] who, like the physiocrats,[2] also conceived *agricultural labor* to be at least the *exemplary* type, whilst *Saint-Simon*[3] declares in contrast that *industrial labor* as such is the essence, and now also aspires to[4] the *exclusive* rule of the industrialists and the improvement of the workers' condition. Finally, *communism* is the *positive* expression of annulled private property—at first as *universal* private property. By embracing this relation as a *whole*, communism is:

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[1] *Appropriation ... enfranchisement* I.e., appropriation (taking possession of something) and alienation (or estrangement) are two aspects of the same thing; and the estranged state constitutes enfranchisement—full acceptance into the community.

[2] The manuscript breaks off unfinished at this point.

[3] *transcendence of self-estrangement* Overcoming of self-alienation.

[4] *annulled* Abolished.

(1) In its first form only a *generalization* and *consummation* of this relationship. It shows itself as such in a twofold form: on the one hand, the dominion of *material* property bulks so large that it wants to destroy *everything* which is not capable of being possessed by all as *private property.* It wants to abstract *by force* from talent, etc. For it the sole purpose of life and existence is direct, physical *possession.* The category of *laborer* is not done away with, but extended to all men. The relationship of private property persists as the relationship of the community to the world of things. Finally, this movement of counterposing[5] universal private property to private property finds expression in the bestial form of counterposing to *marriage* (certainly a *form of exclusive private property*) the *community of women*, in which a woman becomes a piece of *communal* and *common* property. It may be said that this idea of the *community of women* gives away the *secret* of this as yet completely crude and thoughtless communism. Just as the woman passes from marriage to general prostitution,[6] so the entire world of wealth (that is, of man's objective substance[7]) passes from the relationship of exclusive marriage with the owner of private property to a state of universal prostitution with the community. In negating the *personality* of man in every sphere; this type of communism is really nothing but the logical expression of private property, which is this negation. General *envy* constituting itself as a power is the disguise in which *avarice* re-establishes itself and satisfies itself, only in *another* way. The thoughts of every piece of private property—inherent in each piece as such—are *at least* turned against all *wealthier* private property in the form of envy and the urge to reduce to a common level,[8] so that this envy and urge even constitute the essence of competition. The crude communism is only the consummation of this envy and of this leveling down to a *preconceived* minimum. It has a *definite, limited* standard. How little this annulment of private property is really an appropriation is in fact proved by the abstract negation of the entire world of culture and civilization, the regression to the *unnatural* simplicity of the *poor and undemanding* man who has not only failed to go beyond private property, but has not yet even attained to it.

The community[9] is only a community of *labor*, and an equality of *wages* paid out by the communal capital—the *community* as the universal capitalist. Both sides of the relationship are raised to an *imagined*[10] *universality—labor* as a state in which every person is put, and *capital* as the acknowledged universality and power of the community.

In the approach to *woman* as the spoil and handmaid of communal lust is expressed the infinite degradation in which man exists for himself, for the secret of this approach has its *unambiguous*, decisive, *plain* and undisguised expression in the relation of *man* to *woman* and in the manner in which the *direct* and *natural* procreative relationship is conceived. The direct, natural, and necessary relation of person to person is the *relation* of *man* to *woman.* In this *natural* relationship of the sexes man's relation to nature is immediately his relation to man, just as his relation to man is immediately his relation to nature—his own *natural* function. In this relationship, therefore, is *sensuously manifested*, reduced to an observable *fact*, the extent to which the human essence has become nature to man, or to which nature has to him become the human essence of man. From this relationship one can therefore judge man's whole level of development. It follows from the character of this relationship how much *man* as a *species being*, as *man*, has come to be himself and to comprehend himself; the relation of man to woman is *the most natural* relation of human being to human being. It therefore reveals the extent to which man's *natural* behavior has become *human*, or the extent to which the *human* essence in him has become a *natural* essence—the extent to which his *human nature* has come to be *nature* to *him*. In this relationship is revealed, too, the extent to which man's *need* has become a *human* need; the extent to which, therefore, the *other* person as a person has become for him a need—the extent to which he in his individual existence is at the same time a social being. The first positive annulment of private property—crude communism—is thus merely one *form* in which the vileness of private property, which wants to set itself up as the *positive community, comes to the surface.*

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[1] *Fourier* François Marie Charles Fourier (1772–1837), French utopian socialist and early theorist of alienation.

[2] *physiocrats* French economists, influential during the second half of the eighteenth century, who idealized agriculture and rural life.

[3] *Saint-Simon* Claude Henri de Rouvroy, comte de Saint-Simon (1760–1825), the founder of French socialism.

[4] *aspires to* Demands.

[5] *counterposing* Contrasting.

[6] *Just as the woman … prostitution* [Marx's note] Prostitution is only a *specific* expression of the *general* prostitution of the *laborer*, and since it is a relationship in which falls not the prostitute alone, but also the one who prostitutes—and the latter's abomination is still greater—the capitalist, etc., also comes under this head.

[7] *substance* Essence.

[8] *The thoughts … common level* I.e., each thought about a piece of private property … is turned against all wealthier property. …

[9] *The community* According to this "first form" of communism, that is.

[10] *imagined* False.

(2) Communism[1] (a) of a political nature still—democratic or despotic; (b) with the annulment of the state, yet still incomplete, and being still affected by private property (i.e., by the estrangement of man). In both forms communism already knows itself to be re-integration or return of man to himself, the transcendence[2] of human self-estrangement; but since it has not yet grasped the positive essence of private property, and just as little the *human* nature of need, it remains captive to it and infected by it. It has, indeed, grasped its concept, but not its essence.

(3) *Communism*[3] as the *positive* transcendence of *private property*, or *human self-estrangement*, and therefore as the real *appropriation of the human* essence by and for man; communism therefore as the complete return of man to himself as a *social* (i.e., human) being—a return become conscious, and accomplished within the entire wealth of previous development. This communism, as fully-developed naturalism, equals humanism, and as fully-developed humanism equals naturalism; it is the *genuine* resolution of the conflict between man and nature and between man and man—the true resolution of the strife between existence and essence, between objectification and self-confirmation, between freedom and necessity, between the individual and the species. Communism is the riddle of history solved, and it knows itself to be this solution.

The entire movement of history is, therefore, both its *actual* act of genesis (the birth act of its empirical existence) and also for its thinking consciousness, the *comprehended* and *known* process of its *coming-to-be.* That other, still immature communism, meanwhile, seeks an *historical* proof for itself—a proof in the realm of the existent—amongst disconnected historical phenomena opposed to private property, tearing single phases from the historical process and focusing attention on them as proofs of its historical pedigree (a horse ridden hard especially by Cabet, Villegardelle,[4] etc.). By so doing it simply makes clear that by far the greater part of this process contradicts its claims, and that, if it has once been, precisely its being in the *past* refutes its pretension to being *essential.*

That the entire revolutionary movement necessarily finds both its empirical and its theoretical basis in the movement of *private property*—in that of the economy, to be precise—is easy to see.

This *material*, immediately *sensuous* private property is the material sensuous expression of *estranged human* life. Its movement—production and consumption—is the *sensuous* revelation of the movement of all production hitherto—i.e., the realization or the reality of man. Religion, family, state, law, morality, science, art, etc., are only *particular* modes of production, and fall under its general law. The positive transcendence of *private property* as the appropriation of human life is, therefore, the positive transcendence of all estrangement—that is to say, the return of man from religion, family, state, etc., to his *human*, i.e., *social* mode of existence. Religious estrangement as such occurs only in the realm of *consciousness*, of man's inner life, but economic estrangement is that of *real life*; its transcendence therefore embraces both aspects. It is evident that the *initial* stage of the movement amongst the various peoples depends on whether the true and for them *authentic* life of the people manifests itself more in consciousness or in the external world—is more ideal or real. Communism begins from the outset (*Owen*[5]) with atheism; but atheism is at first far from being *communism*; indeed, it is still mostly an abstraction.

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[1] *Communism* Here Marx talks about a second form of communism.

[2] *transcendence* Passing beyond.

[3] *Communism* And here the third stage.

[4] *Cabet, Villegardelle* Etienne Cabet (1788–1856) and François Villegardelle (1810–56), French utopian socialists. Cabet developed a theory of communism influenced by Robert Owen. Several "Icarian" communities (so called after Cabet's *Voyage en Icarie* [1840]) were founded in the United States.

[5] *Owen* Robert Owen (1771–1851), Welsh industrialist and social reformer. He formed a model industrial community at New Lanark, Scotland, and pioneered cooperative societies.

The philanthropy of atheism is therefore at first only *philosophical*, abstract, philanthropy, and that of communism is at once *real* and directly bent on *action*.

We have seen how on the premise of positively annulled private property man produces man—himself and the other man; how the object, being the direct embodiment of his individuality, is simultaneously his own existence for the other man, the existence of the other man, and that existence for him. Likewise, however, both the material of labor and man as the subject, are the point of departure as well as the result of the movement (and precisely in this fact, that they must constitute the *point of departure*, lies the historical *necessity* of private property). Thus the *social* character is the general character of the whole movement: *just as* society itself produces *man as man*, so is society *produced* by him. Activity and consumption, both in their content and in their *mode of existence*, are *social*: *social* activity and *social* consumption; the *human* essence of nature first exists only for *social* man; for only here does nature exist for him as a *bond* with man—as his existence for the other and the other's existence for him—as the life-element of the human world; only here does nature exist as the *foundation* of his own *human* existence. Only here has what is to him his *natural* existence become his *human* existence, and nature become man for him. Thus *society* is the consummated oneness in substance of man and nature—the true resurrection of nature—the naturalism of man and the humanism of nature both brought to fulfillment.

Social activity and social consumption exist by no means *only* in the form of some *directly* communal activity and *directly* communal consumption, although *communal* activity and *communal* consumption—i.e., activity and consumption which are manifested and directly confirmed in *real association* with other men—will occur wherever such a *direct* expression of sociality[1] stems from the true character of the activity's content and is adequate to the nature of consumption.

But again when I am active *scientifically*, etc.,—when I am engaged in activity which I can seldom perform in direct community with others—then I am *social*, because I am active as a *man*. Not only is the material of my activity given to me as a social product (as is even the language in which the thinker is active): my own existence *is* social activity, and therefore that which I make of myself, I make of myself for society and with the consciousness of myself as a social being.

My *general* consciousness is only the *theoretical* shape of that of which the *living* shape is the *real* community, the social fabric, although at the present day *general* consciousness is an abstraction from real life and as such antagonistically confronts it. Consequently, too, the *activity* of my general consciousness, as an activity, is my *theoretical* existence as a social being.

What is to be avoided above all is the re-establishing of "Society" as an abstraction *vis-à-vis*[2] the individual. The individual *is the social being*. His life, even if it may not appear in the direct form of a *communal* life carried out together with others—is therefore an expression and confirmation of *social life*. Man's individual and species life are not *different*, however much—and this is inevitable—the mode of existence of the individual is a more *particular*, or more *general* mode of the life of the species, or the life of the species is a more *particular* or more *general* individual life.

In his *consciousness of species* man confirms his real *social life* and simply repeats his real existence in thought, just as conversely the being of the species confirms itself in species-consciousness and is for *itself* in its generality as a thinking being.

Man, much as he may therefore be a *particular* individual (and it is precisely his particularity which makes him an individual, and a real *individual* social being), is just as much the *totality*—the ideal totality—the subjective existence of thought and experienced society present for itself; just as he exists also in the real world as the awareness and the real enjoyment of social existence, and as a totality of human life-activity.

Thinking and being are thus no doubt *distinct*, but at the same time they are in *unity* with each other.

Death seems to be a harsh victory of the species over the *definite* individual and to contradict their unity. But the determinate individual is only a *determinate species being*, and as such mortal.

(4) Just as *private property* is only the sensuous expression of the fact that man becomes *objective* for himself and at the same time becomes to himself a strange and inhuman object; just as it expresses the fact that the assertion of his life is the alienation of his life, that his realization is his loss of reality, is an *alien* reality: conversely, the positive transcendence of private property—i.e., the *sensuous* appropriation for and by man of the human essence and of human life, of objective man, of human *achievements*—*is*

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[1] *sociality* Sociability.

[2] *vis-à-vis* With respect to.

not to be conceived merely in the sense of *direct*, one-sided *gratification*—merely in the sense of *possessing*, of *having*. Man appropriates his total essence in a total manner, that is to say, as a whole man. Each of his *human* relations to the world—seeing, hearing, smelling, tasting, feeling, thinking, being aware, sensing, wanting, acting, loving—in short, all the organs of his individual being, like those organs which are directly social in their form, are in their *objective* orientation or in their *orientation* to *the object*, the appropriation of that object, the appropriation of the *human* world; their orientation to the object is the *manifestation of the human world*;[1] it is human *efficaciousness* and human *suffering*, for suffering, apprehended humanly, is an enjoyment of self in man.

Private property has made us so stupid and one-sided that an object is only *ours* when we have it—when it exists for us as capital, or when it is directly possessed, eaten, drunk, worn, inhabited, etc.—in short, when it is *used* by us. Although private property itself again conceives all these direct realizations of possession as *means of life*, and the life which they serve as means is the life of private property—labor and conversion into capital.

In place of *all* these physical and mental senses there has therefore come the sheer estrangement of *all* these senses—the sense of *having*. The human being had to be reduced to this absolute poverty in order that he might yield his inner wealth to the outer world. (On the category of "*having*," see Hess in the *Twenty-One Sheets*.)[2]

The transcendence of private property is therefore the complete *emancipation* of all human senses and attributes; but it is this emancipation precisely because these senses and attributes have become, subjectively and objectively, *human*. The eye has become a *human* eye, just as its *object* has become a social, *human* object—an object emanating from man for man. The *senses* have therefore become directly in their practice *theoreticians*. They relate themselves to the *thing* for the sake of the thing, but the thing itself is an *objective human* relation to itself and to man,[3] and vice versa. Need or enjoyment have consequently lost their *egotistical* nature, and nature has lost its mere *utility* by use becoming *human* use.

In the same way, the senses and enjoyments of other men have become my own appropriation. Besides these direct organs, therefore, *social* organs develop in the *form* of society; thus, for instance, activity in direct association with others, etc., has become an organ for *expressing* my own *life*, and a mode of appropriating *human life*.

It is obvious that the *human* eye gratifies itself in a way different from the crude, non-human eye; the human *ear* different from the crude ear, etc.

To recapitulate; man is not lost in his object only when the object becomes for him a *human* object or objective man. This is possible only when the object becomes for him a *social* object, he himself for himself a social being, just as society becomes a being for him in this object.

On the one hand, therefore, it is only when the objective world becomes everywhere for man in society the world of man's essential powers—human reality, and for that reason the reality of his own essential powers—that all *objects* become for him the *objectification of himself*, become objects which confirm and realize his individuality, become *his* objects: that is, *man himself* becomes the object. The manner in which they become *his* depends on the *nature of the objects* and on the nature of the *essential power* corresponding *to it*; for it is precisely the *determinateness* of this relationship which shapes the particular, *real* mode of affirmation. To the *eye* an object comes to be other than it is to the *ear*, and the object of the eye is another object than the object of the *ear*. The peculiarity of each essential power is precisely its *peculiar essence*, and therefore also the peculiar mode of its objectification, of its *objectively actual* living *being*. Thus man is affirmed in the objective world not only in the act of thinking, but with *all* his senses.

On the other hand, looking at this in its subjective aspect: just as music alone awakens in man the sense of music, and just as the most beautiful music has no sense for the unmusical ear—is no object for it, because my object can only be the confirmation of one of my essential powers and can therefore only be so for me as my essential power is present for itself as a subjective capacity, because the sense of an object for me goes only so far as my senses go (has only sense for a sense corresponding to that object)—for this reason the *senses* of the social man are *other* senses than those of the non-social man. Only through the objectively unfolded richness of man's essential being is the richness of subjective *human* sensibility (a musical ear, an eye for beauty of form—in short, *senses* capable of human gratifications, senses confirming themselves as essential powers of man) either cultivated or brought into being. For not only the five senses but also the so-called mental senses—the practical senses (will, love, etc.)—in a word, *human* sense—the humanness of the senses—comes to be by virtue of its object, by virtue of *human* nature. The *forming* of the five senses is a labor of the entire history of the world down to the present.

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[1] *manifestation of the human world* [Marx's note] For this reason it is just as highly varied as the *determinations* of human *essence* and *activities*.

[2] *Hess … Twenty-One Sheets* Moses Hess (1812–75), a German writer, was a pioneer of socialist thought, and a precursor of Zionist thinkers; Marx here refers to his *Philosophische und Sozialistische Aufsätze*.

[3] *They relate … to man* [Marx's note] In practice I can relate myself to a thing humanly only if the thing relates itself to the human being humanly.

The *sense* caught up in crude practical need has only a *restricted* sense. For the starving man, it is not the human form of food that exists, but only its abstract being as food; it could just as well be there in its crudest form, and it would be impossible to say wherein this feeding-activity differs from that of *animals.* The care-burdened man in need has no sense for the finest play; the dealer in minerals sees only the mercantile value but not the beauty and the unique nature of the mineral: he has no mineralogical sense. Thus, the objectification of the human essence both in its theoretical and practical aspects is required to make man's *sense human*, as well as to create the *human sense* corresponding to the entire wealth of human and natural substance.

Just as resulting from the movement of *private property*, of its wealth as well as its poverty—or of its material and spiritual wealth and poverty—the budding society finds at hand all the material for this *development*: so *established* society produces man in this entire richness of his being—produces the *rich* man *profoundly endowed with all the senses*—as its enduring reality.

It will be seen how subjectivism and objectivism, spiritualism and materialism, activity and suffering, only lose their antithetical character, and thus their existence, as such antitheses in the social condition; it will be seen how the resolution of the *theoretical* antitheses is *only* possible in *a practical* way, by virtue of the practical energy of men. Their resolution is therefore by no means merely a problem of knowledge, but a *real* problem of life, which *philosophy* could not solve precisely because it conceived this problem as *merely* a theoretical one.

It will be seen how the history of *industry* and the established *objective* existence of industry are the *open* book of *man's essential powers*, the exposure to the senses of human *psychology.* Hitherto this was not conceived in its inseparable connection with man's *essential being*, but only in an external relation of utility, because, moving in the realm of estrangement, people could only think man's general mode of being—religion or history in its abstract-general character as politics, art, literature, etc.—to be the reality of man's essential powers and *man's species-activity.* We have before us the *objectified essential powers* of man in the form of *sensuous, alien, useful objects*, in the form of estrangement, displayed in *ordinary material industry* (which can be conceived as a part of that general movement, just as that movement can be conceived as a particular part of industry, since all human activity hitherto has been labor—that is, industry-activity estranged from itself).

A *psychology* for which this, the part of history most contemporary and accessible to sense, remains a closed book, cannot become a genuine, comprehensive and *real* science. What indeed are we to think of a science which *airily abstracts from*[1] this large part of human labor and which fails to feel its own incompleteness, while such a wealth of human endeavor unfolded before it means nothing more to it than, perhaps, what can be expressed in one word—"need," "*vulgar need*"?

The *natural sciences* have developed an enormous activity and have accumulated a constantly growing mass of material. Philosophy, however, has remained just as alien to them as they remain to philosophy. Their momentary unity was only a *chimerical*[2] *illusion.* The will was there, but the means were lacking. Even historiography[3] pays regard to natural science only occasionally, as a factor of enlightenment and utility arising from individual great discoveries. But natural science has invaded and transformed human life all the more *practically* through the medium of industry; and has prepared human emancipation, however directly and much it had to consummate dehumanization. *Industry* is the *actual*, historical relation of nature, and therefore of natural science, to man. If, therefore, industry is conceived as the *exoteric* revelation of man's *essential powers*, we also gain an understanding of the *human* essence of nature or the *natural* essence of man. In consequence, natural science will lose its abstractly material[4]—or rather, its idealistic tendency, and will become the basis of *human* science, as it has already become the basis of actual human life, albeit in an estranged form. *One basis* for life and another basis for *science* is *a priori* a lie. The nature which comes to be in human history—the genesis of human society—is man's *real* nature; hence nature as it comes to be through industry, even though in an *estranged* form, is true *anthropological* nature.

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[1] *airily abstracts from* Casually disregards.

[2] *chimerical* Imaginary.

[3] *historiography* The study of the writing of history.

[4] *material* Materialist.

Sense-perception (see Feuerbach) must be the basis of all science. Only when it proceeds from sense-perception in the twofold form both of *sensuous* consciousness and of *sensuous* need—that is, only when science proceeds from nature—is it *true* science. All history is the preparation for "*man*" to become the object of *sensuous* consciousness, and for the needs of "man as man" to become [natural, sensuous] needs. History itself is a *real* part of *natural history*—of nature's coming to be man. Natural science will in time subsume under itself the science of man, just as the science of man will subsume under itself natural science: there will be *one* science.

Man is the immediate object of natural science: for immediate, *sensuous nature* for man is, immediately, human sensuousness (the expressions are identical)—presented immediately in the form of the *other* man sensuously present for him. For his own sensuousness first exists as human sensuousness for himself through the *other* man. But *nature* is the immediate object of the *science of man*: the first object of man—man—is nature, sensuousness; and the particular human sensuous essential powers can only find their self-knowledge in the science of the natural world in general, since they can find their objective realization in *natural* objects only. The element of thought itself—the element of thought's living expression—*language*—is of a sensuous nature. The *social* reality of nature, and *human* natural science, or the *natural science about man*, are identical terms.

It will be seen how in place of the *wealth* and *poverty* of political economy come the *rich human being* and rich *human* need. The *rich* human being is simultaneously the human being *in need of* a totality of human life-activities—the man in whom his own realization exists as an inner necessity, as *need*. Not only *wealth*, but likewise the *poverty* of man—given socialism—receives in equal measure a *human* and therefore social significance. Poverty is the passive bond which causes the human being to experience the need of the greatest wealth—the *other* human being. The dominion of the objective being in me, the sensuous outburst of my essential activity, is *emotion*, which thus becomes here the *activity* of my being.

(5) A *being* only considers himself independent when he stands on his own feet; and he only stands on his own feet when he owes his *existence* to himself. A man who lives by the grace of another regards himself as a dependent being. But I live completely by the grace of another if I owe him not only the sustenance of my life, but if he has, moreover, *created* my *life*—*if* he is the *source* of my life; and if it is not of my own creation, my life has necessarily a source of this kind outside it. The *Creation* is therefore an idea very difficult to dislodge from popular consciousness. The self-mediated being of nature and of man is *incomprehensible* to it, because it contradicts everything *palpable* in practical life.

The creation of the *earth* has received a mighty blow from geogeny—i.e., from the science which presents the formation of the earth, the coming-to-be of the earth, as a process, as self-generation. *Generatio aequivoca*[1] is the only practical refutation of the theory of creation.

Now it is certainly easy to say to the single individual what Aristotle has already said: You have been begotten by your father and your mother; therefore in you the mating of two human beings—a species-act of human beings—has produced the human being. You see, therefore, that even physically, man owes his existence to man. Therefore you must not only keep sight of the one aspect—the *infinite* progression which leads you further to enquire: "Who begot my father? Who his grandfather?" etc. You must also hold on to the *circular movement* sensuously perceptible in that progression, by which *man* repeats himself in procreation, thus always remaining the subject. You will reply, however: I grant you this circular movement; now grant me the progression which drives me even further until I ask: Who begot the first man, and nature as a whole? I can only answer you: Your question is itself a product of abstraction. Ask yourself how you arrived at that question. Ask yourself whether your question is not posed from a standpoint to which I cannot reply, because it is a perverse one. Ask yourself whether that progression as such exists for a reasonable mind. When you ask about the creation of nature and man, you are abstracting, in so doing, from man and nature. You postulate them as *non-existent*, and yet you want me to prove them to you as *existing*. Now I say to you: Give up your abstraction and you will also give up your question. Or if you want to hold on to your abstraction, then be consistent, and if you think of man and nature as *non-existent*, then think of yourself as non-existent, for you too are surely nature and man. Don't think, don't ask me, for as soon as you think and ask, your *abstraction* from the existence of nature and man has no meaning. Or are you such an egoist that you postulate everything as nothing, and yet want yourself to be?

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[1] *Generatio aequivoca* Latin: spontaneous generation—the pre-scientific idea that non-living material can produce living organisms—for example, that mud produces frogs.

You can reply: I do not want to postulate the nothingness of nature. I ask you about *its genesis*, just as I ask the anatomist about the formation of bones, etc.

But since for the socialist man the *entire so-called history of the world* is nothing but the begetting of man through human labor, nothing but the coming-to-be of nature for man, he has the visible, irrefutable proof of his *birth* through himself, of his *process* of *coming-to-be.* Since the *real existence* of man and nature has become practical, sensuous and perceptible—since man has become for man as the being of nature, and nature for man as the being of man—the question about an *alien* being, about a being above nature and man—a question which implies the admission of the inessentiality of nature and of man—has become impossible in practice. *Atheism,* as the denial of this inessentiality, has no longer any meaning, for atheism is a *negation of God,* and postulates the *existence of man* through this negation; but socialism as socialism no longer stands in any need of such a mediation. It proceeds from the *practically and theoretically sensuous consciousness* of man and of nature as the *essence.* Socialism is man's *positive self-consciousness* no longer mediated through the annulment of religion, just as *real life* is man's positive reality, no longer mediated through the annulment of private property, through *communism.* Communism is the position as the negation of the negation, and is hence the *actual* phase necessary for the next stage of historical development in the process of human emancipation and recovery. *Communism* is the necessary pattern and the dynamic principle of the immediate future, but communism as such is not the goal of human development—the structure of human society.

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from The German Ideology (1845)

A. Ideology in General, German Ideology in Particular

German criticism has, right up to its latest efforts, never quitted the realm of philosophy. Far from examining its general philosophic premises, the whole body of its inquiries has actually sprung from the soil of a definite philosophical system, that of Hegel. Not only in their answers but in their very questions there was a mystification. This dependence on Hegel is the reason why not one of these modern critics has even attempted a comprehensive criticism of the Hegelian system, however much each professes to have advanced beyond Hegel. Their polemics against Hegel and against one another are confined to this—each extracts one side of the Hegelian system and turns this against the whole system as well as against the sides extracted by the others. To begin with they extracted pure unfalsified Hegelian categories such as "substance" and "self-consciousness," later they desecrated these categories with more secular names such as "species," "the Unique," "Man," etc.

The entire body of German philosophical criticism from Strauss[1] to Stirner[2] is confined to criticism of religious conceptions. [Claiming to be the absolute redeemer of the world from all evil. Religion was continually regarded and treated as the arch-enemy, as the ultimate cause of all relations repugnant to these philosophers.][3] The critics started from real religion and actual theology. What religious consciousness and a religious conception really meant was determined variously as they went along. Their advance consisted in subsuming the allegedly dominant metaphysical, political, juridical, moral and other conceptions under the class of religious or theological conceptions; and similarly in pronouncing political, juridical, moral consciousness as religious or theological, and the political, juridical, moral man—"man" in the last resort—as religious. The dominance of religion was taken for granted. Gradually every dominant relationship was pronounced a religious relationship and transformed into a cult, a cult of law, a cult of the State, etc. On all sides it was only a question of dogmas and belief in dogmas. The world was sanctified to an ever-increasing extent till at last our venerable Saint Max[1] was able to canonize it en bloc and thus dispose of it once for all.

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[1] *Strauss* David Friedrich Strauss (1808–74), German Hegelian theologian who created a scandal with his historical account of Jesus, calling into question his divinity.

[2] *Stirner* Max Stirner (pen name of Johann Kaspar Schmidt, 1806–56), German philosopher, important in the development of nihilism, existentialism, and individualistic anarchism.

[3] *Claiming to … these philosophers* This passage appears crossed out in the original manuscript.

The Old Hegelians had comprehended everything as soon as it was reduced to an Hegelian logical category. The Young Hegelians criticized everything by attributing to it religious conceptions or by pronouncing it a theological matter. The Young Hegelians are in agreement with the Old Hegelians in their belief in the rule of religion, of concepts, of a universal principle in the existing world. Only, the one party[2] attacks this dominion as usurpation while the other[3] extols it as legitimate.

Since the Young Hegelians consider conceptions, thoughts, ideas, in fact all the products of consciousness, to which they attribute an independent existence, as the real chains of men (just as the Old Hegelians declared them the true bonds of human society) it is evident that the Young Hegelians have to fight only against these illusions of consciousness. Since, according to their fantasy, the relationships of men, all their doings, their chains and their limitations are products of their consciousness, the Young Hegelians logically put to men the moral postulate of exchanging their present consciousness for human, critical or egoistic[4] consciousness, and thus of removing their limitations. This demand to change consciousness amounts to a demand to interpret reality in another way, i.e., to recognize it by means of another interpretation. The Young-Hegelian ideologists, in spite of their allegedly "world-shattering" statements, are the staunchest conservatives. The most recent of them have found the correct expression for their activity when they declare they are only fighting against "phrases." They forget, however, that to these phrases they themselves are only opposing other phrases, and that they are in no way combating the real existing world when they are merely combating the phrases of this world. The only results which this philosophic criticism could achieve were a few (and at that thoroughly one-sided) elucidations of Christianity from the point of view of religious history; all the rest of their assertions are only further embellishments of their claim to have furnished, in these unimportant elucidations, discoveries of universal importance.

It has not occurred to any one of these philosophers to inquire into the connection of German philosophy with German reality, the relation of their criticism to their own material surroundings.

The premises from which we begin are not arbitrary ones, not dogmas, but real premises from which abstraction can only be made in the imagination. They are the real individuals, their activity and the material conditions under which they live, both those which they find already existing and those produced by their activity. These premises can thus be verified in a purely empirical way.

The first premise of all human history is, of course, the existence of living human individuals. Thus the first fact to be established is the physical organization of these individuals and their consequent relation to the rest of nature. Of course, we cannot here go either into the actual physical nature of man, or into the natural conditions in which man finds himself—geological, hydrographical,[5] climatic and so on. The writing of history must always set out from these natural bases and their modification in the course of history through the action of men.

Men can be distinguished from animals by consciousness, by religion or anything else you like. They themselves begin to distinguish themselves from animals as soon as they begin to produce their means of subsistence, a step which is conditioned by their physical organization. By producing their means of subsistence men are indirectly producing their actual material life.

The way in which men produce their means of subsistence depends first of all on the nature of the actual means of subsistence they find in existence and have to reproduce. This mode of production must not be considered simply as being the production of the physical existence of the individuals. Rather it is a definite form of activity of these individuals, a definite form of expressing their life, a definite mode of life on their part. As individuals express their life, so they are. What they are, therefore, coincides with their production, both with what they produce and with how they produce. The nature of individuals thus depends on the material conditions determining their production.

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[1] *Saint Max* Stirner (see above note). Marx gives him this nickname indicating that Stirner interprets material relationships as spiritual. "Saint Bruno" below refers with the same implication to Bruno Bauer.

[2] *the one party* I.e., the Young or left-wing Hegelians.

[3] *the other* I.e., the Old or right-wing Hegelians.

[4] *human … egoistic* These words refer to catch-phrases associated with the work of Feuerbach ("human"), Bauer ("critical"), and Stirner ("egoistic").

[5] *hydrographical* Having to do with the scientific study of bodies of water.

This production only makes its appearance with the increase of population. In its turn this presupposes the intercourse[1] of individuals with one another. The form of this intercourse is again determined by production.

The relations of different nations among themselves depend upon the extent to which each has developed its productive forces, the division of labor and internal intercourse. This statement is generally recognized. But not only the relation of one nation to others, but also the whole internal structure of the nation itself depends on the stage of development reached by its production and its internal and external intercourse. How far the productive forces of a nation are developed is shown most manifestly by the degree to which the division of labor has been carried. Each new productive force, insofar as it is not merely a quantitative extension of productive forces already known (for instance the bringing into cultivation of fresh land), causes a further development of the division of labor.

The division of labor inside a nation leads at first to the separation of industrial and commercial from agricultural labor, and hence to the separation of town and country and to the conflict of their interests. Its further development leads to the separation of commercial from industrial labor. At the same time through the division of labor inside these various branches there develop various divisions among the individuals cooperating in definite kinds of labor. The relative position of these individual groups is determined by the methods employed in agriculture, industry and commerce (patriarchalism, slavery, estates,[2] classes). These same conditions are to be seen (given a more developed intercourse) in the relations of different nations to one another.

The various stages of development in the division of labor are just so many different forms of ownership, i.e., the existing stage in the division of labor determines also the relations of individuals to one another with reference to the material, instrument, and product of labor.

The first form of ownership is tribal ownership. It corresponds to the undeveloped stage of production, at which a people lives by hunting and fishing, by the rearing of beasts or, in the highest stage, agriculture. In the latter case it presupposes a great mass of uncultivated stretches of land. The division of labor is at this stage still very elementary and is confined to a further extension of the natural division of labor existing in the family. The social structure is, therefore, limited to an extension of the family; patriarchal family chieftains, below them the members of the tribe, finally slaves. The slavery latent in the family only develops gradually with the increase of population, the growth of wants, and with the extension of external relations, both of war and of barter.

The second form is the ancient communal and State ownership which proceeds especially from the union of several tribes into a city by agreement or by conquest, and which is still accompanied by slavery. Beside communal ownership we already find movable, and later also immovable,[3] private property developing, but as an abnormal form subordinate to communal ownership. The citizens hold power over their laboring slaves only in their community, and on this account alone, therefore, they are bound to the form of communal ownership. It is the communal private property which compels the active citizens to remain in this spontaneously derived form of association over against their slaves. For this reason the whole structure of society based on this communal ownership, and with it the power of the people, decays in the same measure as, in particular, immovable private property evolves. The division of labor is already more developed. We already find the antagonism of town and country; later the antagonism between those states which represent town interests and those which represent country interests, and inside the towns themselves the antagonism between industry and maritime commerce. The class relation between citizens and slaves is now completely developed.

With the development of private property, we find here for the first time the same conditions which we shall find again, only on a more extensive scale, with modern private property. On the one hand, the concentration of private property, which began very early in Rome (as the Licinian agrarian law[4] proves) and proceeded very rapidly from the time of the civil wars and especially under the Emperors; on the other hand, coupled with this, the transformation of the plebeian small peasantry into a proletariat,[1] which, however, owing to its intermediate position between propertied citizens and slaves, never achieved an independent development.

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[1] *intercourse* Mutual dealings, social activity (particularly, in this case, activity having to do with economic relations).

[2] *estates* Historical divisions of European society into sectors of political power, traditionally the clergy, the nobility, and the middle class.

[3] *movable ... immovable* The former is property which can be given a monetary value, and transformed into money; the latter is property which cannot, such as land and buildings.

[4] *Licinian agrarian law* Roman law passed in 367 BCE, limiting the amount of public land that a single citizen could hold.

The third form of ownership is feudal or estate property. If antiquity started out from the town and its little territory, the Middle Ages started out from the country. This different starting-point was determined by the sparseness of the population at that time, which was scattered over a large area and which received no large increase from the conquerors. In contrast to Greece and Rome, feudal development at the outset, therefore, extends over a much wider territory, prepared by the Roman conquests and the spread of agriculture at first associated with it. The last centuries of the declining Roman Empire and its conquest by the barbarians destroyed a number of productive forces; agriculture had declined, industry had decayed for want of a market, trade had died out or been violently suspended, the rural and urban population had decreased. From these conditions and the mode of organization of the conquest determined by them, feudal property developed under the influence of the Germanic military constitution. Like tribal and communal ownership, it is based again on a community; but the directly producing class standing over against it is not, as in the case of the ancient community, the slaves, but the enserfed[2] small peasantry. As soon as feudalism is fully developed, there also arises antagonism to the towns. The hierarchical structure of land ownership, and the armed bodies of retainers[3] associated with it, gave the nobility power over the serfs. This feudal organization was, just as much as the ancient communal ownership, an association against a subjected[4] producing class; but the form of association and the relation to the direct producers were different because of the different conditions of production.

This feudal system of land ownership had its counterpart in the towns in the shape of corporative property, the feudal organization of trades. Here property consisted chiefly in the labor of each individual person. The necessity for association against the organized robber-nobility, the need for communal covered markets in an age when the industrialist was at the same time a merchant, the growing competition of the escaped serfs swarming into the rising towns, the feudal structure of the whole country: these combined to bring about the guilds. The gradually accumulated small capital of individual craftsmen and their stable numbers, as against the growing population, evolved the relation of journeyman and apprentice,[5] which brought into being in the towns a hierarchy similar to that in the country.

Thus the chief form of property during the feudal epoch consisted on the one hand of landed property with serf labor chained to it, and on the other of the labor of the individual with small capital commanding the labor of journeymen. The organization of both was determined by the restricted conditions of production—the small-scale and primitive cultivation of the land, and the craft type of industry. There was little division of labor in the heyday of feudalism. Each country bore in itself the antithesis of town and country; the division into estates was certainly strongly marked; but apart from the differentiation of princes, nobility, clergy and peasants in the country, and masters, journeymen, apprentices and soon also the rabble of casual laborers in the towns, no division of importance took place. In agriculture it was rendered difficult by the strip-system,[6] beside which the cottage industry[7] of the peasants themselves emerged. In industry there was no division of labor at all in the individual trades themselves, and very little between them. The separation of industry and commerce was found already in existence in older towns; in the newer it only developed later, when the towns entered into mutual relations.

The grouping of larger territories into feudal kingdoms was a necessity for the landed nobility as for the towns. The organization of the ruling class, the nobility, had, therefore, everywhere a monarch at its head.

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[1] *plebeian small peasantry … proletariat* "Plebeians" were the ordinary people (as opposed to the nobility) in ancient Rome; the "small peasantry" was the class of people who farmed small parcels of land, with the produce being intended largely for their own use, not for trade. The "proletariat" is the working class—people who do not own any means of production, and who therefore must sell their labor to earn a living.

[2] *enserfed* In the position of serfhood. Serfs received the use of land from a lord in exchange for rent or labor. Serfs inherited their position of obligation to a lord from their parents and were bought and sold with the land.

[3] *retainers* Paid servants.

[4] *subjected* Subject to the rule of another.

[5] *journeyman and apprentice* An apprentice was bound legally to work for a skilled craftsman for a certain time, in exchange for training. A journeyman was one who had completed his apprenticeship, and was a qualified workman, but who was still employed by another.

[6] *strip-system* System according to which land is divided into small strips, several of which were allotted to the peasant for working. Crops were rotated among the strips.

[7] *cottage industry* System according to which individual craftsworkers work at home, sometimes getting their supplies and selling their products to a central larger industry.

The fact is, therefore, that definite individuals who are productively active in a definite way enter into these definite social and political relations. Empirical observation must in each separate instance bring out empirically, and without any mystification and speculation, the connection of the social and political structure with production. The social structure and the State are continually evolving out of the life-process of definite individuals, but of individuals, not as they may appear in their own or other people's imagination, but as they really are; i.e., as they operate, produce materially, and hence as they work under definite material limits, presuppositions and conditions independent of their will.

The production of ideas, of conceptions, of consciousness, is at first directly interwoven with the material activity and the material intercourse of men, the language of real life. Conceiving, thinking, the mental intercourse of men, appear at this stage as the direct efflux[1] of their material behavior. The same applies to mental production as expressed in the language of politics, laws, morality, religion, metaphysics, etc., of a people. Men are the producers of their conceptions, ideas, etc.—real, active men, as they are conditioned by a definite development of their productive forces and of the intercourse corresponding to these, up to its furthest forms. Consciousness can never be anything else than conscious existence, and the existence of men is their actual life-process. If in all ideology men and their circumstances appear upside-down as in a camera obscura,[2] this phenomenon arises just as much from their historical life-process as the inversion of objects on the retina does from their physical life-process.

In direct contrast to German philosophy which descends from heaven to earth, here we ascend from earth to heaven. That is to say, we do not set out from what men say, imagine, conceive, nor from men as narrated, thought of, imagined, conceived, in order to arrive at men in the flesh. We set out from real, active men, and on the basis of their real life-process we demonstrate the development of the ideological reflexes and echoes of this life-process. The phantoms formed in the human brain are also, necessarily, sublimates[3] of their material life-process, which is empirically verifiable and bound to material premises. Morality, religion, metaphysics, all the rest of ideology and their corresponding forms of consciousness, thus no longer retain the semblance of independence. They have no history, no development; but men, developing their material production and their material intercourse, alter, along with this their real existence, their thinking and the products of their thinking. Life is not determined by consciousness, but consciousness by life. In the first method of approach the starting-point is consciousness taken as the living individual; in the second method, which conforms to real life, it is the real living individuals themselves, and consciousness is considered solely as their consciousness.

This method of approach is not devoid of premises. It starts out from the real premises and does not abandon them for a moment. Its premises are men, not in any fantastic isolation and rigidity, but in their actual, empirically perceptible process of development under definite conditions. As soon as this active life-process is described, history ceases to be a collection of dead facts as it is with the empiricists[4] (themselves still abstract), or an imagined activity of imagined subjects, as with the idealists.

Where speculation ends—in real life—there real, positive science begins: the representation of the practical activity, of the practical process of development of men. Empty talk about consciousness ceases, and real knowledge has to take its place. When reality is depicted, philosophy as an independent branch of knowledge loses its medium of existence. At the best its place can only be taken by a summing-up of the most general results, abstractions which arise from the observation of the historical development of men. Viewed apart from real history, these abstractions have in themselves no value whatsoever. They can only serve to facilitate the arrangement of historical material, to indicate the sequence of its separate strata. But they by no means afford a recipe or schema, as does philosophy, for neatly trimming the epochs of history. On the contrary, our difficulties begin only when we set about the observation and the arrangement—the real depiction—of our historical material, whether of a past epoch or of the present. The removal of these difficulties is governed by premises which it is quite impossible to state here, but which only the study of the actual life-process and the activity of the individuals of each epoch will make evident. We shall select here some of these abstractions, which we use in contradistinction to the ideologists, and shall illustrate them by historical examples.

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[1] *efflux* Outflow.

[2] *camera obscura* Darkened chamber with a hole or lens in one side, designed to throw an (upside-down) image of whatever is outside on the opposite wall; painters traced images from the camera obscura as an aid in representation.

[3] *sublimates* Results of a change from one state to another.

[4] *empiricists* Philosophers who take all knowledge to be derived from direct sense experience.

1. History

Since we are dealing with the Germans, who are devoid of premises,[1] we must begin by stating the first premise of all human existence and, therefore, of all history, the premise, namely, that men must be in a position to live in order to be able to "make history." But life involves before everything else eating and drinking, a habitation, clothing and many other things. The first historical act is thus the production of the means to satisfy these needs, the production of material life itself. And indeed this is an historical act, a fundamental condition of all history, which today, as thousands of years ago, must daily and hourly be fulfilled merely in order to sustain human life. Even when the sensuous world is reduced to a minimum, to a stick as with Saint Bruno, it presupposes the action of producing the stick. Therefore in any interpretation of history one has first of all to observe this fundamental fact in all its significance and all its implications and to accord it its due importance. It is well known that the Germans have never done this, and they have never, therefore, had an earthly basis for history and consequently never a historian. The French and the English, even if they have conceived the relation of this fact with so-called history only in an extremely one-sided fashion, particularly as long as they remained in the toils of political ideology, have nevertheless made the first attempts to give the writing of history a materialistic basis by being the first to write histories of civil society, of commerce and industry.

The second point is that the satisfaction of the first need (the action of satisfying, and the instrument of satisfaction which has been acquired) leads to new needs; and this production of new needs is the first historical act. Here we recognize immediately the spiritual ancestry of the great historical wisdom of the Germans who, when they run out of positive material and when they can serve up neither theological nor political nor literary rubbish, assert that this is not history at all, but the "prehistoric era." They do not, however, enlighten us as to how we proceed from this nonsensical "prehistory" to history proper; although, on the other hand, in their historical speculation they seize upon this "prehistory" with especial eagerness because they imagine themselves safe there from interference on the part of "crude facts," and, at the same time, because there they can give full rein to their speculative impulse and set up and knock down hypotheses by the thousand.

The third circumstance which, from the very outset, enters into historical development, is that men, who daily remake their own life, begin to make other men, to propagate their kind: the relation between man and woman, parents and children, the family. The family, which to begin with is the only social relationship, becomes later, when increased needs create new social relations and the increased population new needs, a subordinate one (except in Germany), and must then be treated and analyzed according to the existing empirical data, not according to "the concept of the family," as is the custom in Germany. These three aspects of social activity are not of course to be taken as three different stages, but just as three aspects or, to make it clear to the Germans, three "moments,"[2] which have existed simultaneously since the dawn of history and the first men, and which still assert themselves in history today.

The production of life, both of one's own in labor and of fresh life in procreation, now appears as a double relationship: on the one hand as a natural, on the other as a social relationship. By social we understand the cooperation of several individuals, no matter under what conditions, in what manner and to what end. It follows from this that a certain mode of production, or industrial stage, is always combined with a certain mode of cooperation, or social stage, and this mode of cooperation is itself a "productive force." Further, that the multitude of productive forces accessible to men determines the nature of society, hence, that the "history of humanity" must always be studied and treated in relation to the history of industry and exchange. But it is also clear how in Germany it is impossible to write this sort of history, because the Germans lack not only the necessary power of comprehension and the material but also the "evidence of their senses," for across the Rhine you cannot have any experience of these things since history has stopped happening. Thus it is quite obvious from the start that there exists a materialistic connection of men with one another, which is determined by their needs and their mode of production, and which is as old as men themselves. This connection is ever taking on new forms, and thus presents a "history" independently of the existence of any political or religious nonsense which in addition may hold men together.

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[1] *are devoid of premises* Do not start off by assuming anything.

[2] *moments* This philosophical term here means *aspects*, but can also refer to *stages*.

Only now, after having considered four moments, four aspects of the primary historical relationships, do we find that man also possesses "consciousness," but, even so, not inherent,[1] not "pure" consciousness. From the start the "spirit" is afflicted with the curse of being "burdened" with matter, which here makes its appearance in the form of agitated layers of air, sounds, in short, of language. Language is as old as consciousness, language is practical consciousness that exists also for other men, and for that reason alone it really exists for me personally as well; language, like consciousness, only arises from the need, the necessity, of intercourse with other men. Where there exists a relationship, it exists for me: the animal does not enter into "relations" with anything, it does not enter into any relation at all. For the animal, its relation to others does not exist as a relation. Consciousness is, therefore, from the very beginning a social product, and remains so as long as men exist at all. Consciousness is at first, of course, merely consciousness concerning the immediate sensuous environment and consciousness of the limited connection with other persons and things outside the individual who is growing self-conscious. At the same time it is consciousness of nature, which first appears to men as a completely alien, all-powerful and unassailable force, with which men's relations are purely animal and by which they are overawed like beasts; it is thus a purely animal consciousness of nature (natural religion) just because nature is as yet hardly modified historically.

We see here immediately: this natural religion or this particular relation of men to nature is determined by the form of society and vice versa. Here, as everywhere, the identity of nature and man appears in such a way that the restricted relation of men to nature determines their restricted relation to one another, and their restricted relation to one another determines men's restricted relation to nature. On the other hand, man's consciousness of the necessity of associating with the individuals around him is the beginning of the consciousness that he is living in society at all. This beginning is as animal as social life itself at this stage. It is mere herd-consciousness, and at this point man is only distinguished from sheep by the fact that with him consciousness takes the place of instinct or that his instinct is a conscious one. This sheep-like or tribal consciousness receives its further development and extension through increased productivity, the increase of needs, and, what is fundamental to both of these, the increase of population. With these there develops the division of labor, which was originally nothing but the division of labor in the sexual act, then that division of labor which develops spontaneously or "naturally" by virtue of natural predisposition (e.g., physical strength), needs, accidents, etc., etc. Division of labor only becomes truly such from the moment when a division of material and mental labor appears. (The first form of ideologists, priests, is concurrent.) From this moment onwards consciousness can really flatter itself that it is something other than consciousness of existing practice, that it really represents something without representing something real; from now on consciousness is in a position to emancipate itself from the world and to proceed to the formation of "pure" theory, theology, philosophy, ethics, etc. But even if this theory, theology, philosophy, ethics, etc., comes into contradiction with the existing relations, this can only occur because existing social relations have come into contradiction with existing forces of production; this, moreover, can also occur in a particular national sphere of relations through the appearance of the contradiction, not within the national orbit, but between this national consciousness and the practice of other nations, i.e., between the national and the general consciousness of a nation (as we see it now in Germany).

Moreover, it is quite immaterial what consciousness starts to do on its own: out of all such muck we get only the one inference that these three moments, the forces of production, the state of society, and consciousness, can and must come into contradiction with one another, because the division of labor implies the possibility, nay the fact that intellectual and material activity—enjoyment and labor, production and consumption—devolve on[2] different individuals, and that the only possibility of their not coming into contradiction lies in the negation in its turn of the division of labor. It is self-evident, moreover, that "specters," "bonds," "the higher being," "concept," "scruple," are merely the idealistic, spiritual expression, the conception apparently of the isolated individual, the image of very empirical fetters and limitations, within which the mode of production of life and the form of intercourse coupled with it move.

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[1] *inherent* Belonging to humans by their very nature.

[2] *devolve on* Become the responsibility of.

With the division of labor, in which all these contradictions are implicit, and which in its turn is based on the natural division of labor in the family and the separation of society into individual families opposed to one another, is given simultaneously the distribution, and indeed the unequal distribution, both quantitative and qualitative, of labor and its products, hence property: the nucleus, the first form, of which lies in the family, where wife and children are the slaves of the husband. This latent slavery in the family, though still very crude, is the first property, but even at this early stage it corresponds perfectly to the definition of modern economists who call it the power of disposing of the labor-power of others. Division of labor and private property are, moreover, identical expressions: in the one the same thing is affirmed with reference to activity as is affirmed in the other with reference to the product of the activity.

Further, the division of labor implies the contradiction between the interest of the separate individual or the individual family and the communal interest of all individuals who have intercourse with one another. And indeed, this communal interest does not exist merely in the imagination, as the "general interest," but first of all in reality, as the mutual interdependence of the individuals among whom the labor is divided. And finally, the division of labor offers us the first example of how, as long as man remains in natural society, that is, as long as a cleavage exists between the particular and the common interest, as long, therefore, as activity is not voluntarily, but naturally, divided, man's own deed becomes an alien power opposed to him, which enslaves him instead of being controlled by him. For as soon as the distribution of labor comes into being, each man has a particular, exclusive sphere of activity, which is forced upon him and from which he cannot escape. He is a hunter, a fisherman, a herdsman, or a critical critic, and must remain so if he does not want to lose his means of livelihood; while in communist society, where nobody has one exclusive sphere of activity but each can become accomplished in any branch he wishes, society regulates the general production and thus makes it possible for me to do one thing today and another tomorrow, to hunt in the morning, fish in the afternoon, rear cattle in the evening, criticize after dinner, just as I have a mind, without ever becoming hunter, fisherman, herdsman or critic. This fixation of social activity, this consolidation of what we ourselves produce into an objective power above us, growing out of our control, thwarting our expectations, bringing to naught our calculations, is one of the chief factors in historical development up till now.

[And out of this very contradiction between the interest of the individual and that of the community the latter takes an independent form as the State, divorced from the real interests of individual and community, and at the same time as an illusory communal life, always based, however, on the real ties existing in every family and tribal conglomeration—such as flesh and blood, language, division of labor on a larger scale, and other interests—and especially, as we shall enlarge upon later, on the classes, already determined by the division of labor, which in every such mass of men separate out, and of which one dominates all the others. It follows from this that all struggles within the State, the struggle between democracy, aristocracy, and monarchy, the struggle for the franchise,[1] etc., are merely the illusory forms in which the real struggles of the different classes are fought out among one another (of this the German theoreticians have not the faintest inkling, although they have received a sufficient introduction to the subject in the *Deutsch-Französische Jahrbücher*[2] and *Die heilige Familie*[3]). Further, it follows that every class which is struggling for mastery, even when its domination, as is the case with the proletariat, postulates the abolition of the old form of society in its entirety and of domination itself, must first conquer for itself political power in order to represent its interest in turn as the general interest, which in the first moment it is forced to do. Just because individuals seek only their particular interest, which for them does not coincide with their communal interest (in fact the general is the illusory form of communal life), the latter will be imposed on them as an interest "alien" to them, and "independent" of them as in its turn a particular, peculiar "general" interest; or they themselves must remain within this discord, as in democracy. On the other hand, too, the practical struggle of these particular interests, which constantly really run counter to the communal and illusory communal interests, makes practical intervention and control necessary through the illusory "general" interest in the form of the State. The social power, i.e., the multiplied productive force, which arises through the cooperation of different individuals as it is determined by the division of labor, appears to these individuals, since their cooperation is not voluntary but has come about naturally, not as their own united power, but as an alien force existing outside them, of the origin and goal of which they are ignorant, which they thus cannot control, which on the contrary passes through a peculiar series of phases and stages independent of the will and the action of man, nay even being the prime governor of these.][1]

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[1] *franchise* Right conferred by the state—in particular the right to vote.

[2] *Deutsch-Französische Jahrbücher* German: *The German-French Annals* by Marx, 1844. Marx particularly refers here to his articles, "On the Jewish Question" and "A Contribution to the Critique of the Hegelian Philosophy of Law."

[3] *Die heilige Familie* German: *The Holy Family* by Marx and Engels, 1845.

This "alienation" (to use a term which will be comprehensible to the philosophers) can, of course, only be abolished given two practical premises. For it to become an "intolerable" power, i.e., a power against which men make a revolution, it must necessarily have rendered the great mass of humanity "propertyless," and produced, at the same time, the contradiction of an existing world of wealth and culture, both of which conditions presuppose a great increase in productive power, a high degree of its development. And, on the other hand, this development of productive forces (which itself implies the actual empirical existence of men in their world-historical, instead of local, being) is an absolutely necessary practical premise because without it want is merely made general, and with destitution the struggle for necessities and all the old filthy business would necessarily be reproduced; and furthermore, because only with this universal development of productive forces is a universal intercourse between men established, which produces in all nations simultaneously the phenomenon of the "propertyless" mass (universal competition), makes each nation dependent on the revolutions of the others, and finally has put world-historical, empirically universal individuals in place of local ones. Without this, (1) communism could only exist as a local event; (2) the forces of intercourse themselves could not have developed as universal, hence intolerable powers: they would have remained home-bred conditions surrounded by superstition; and (3) each extension of intercourse would abolish local communism. Empirically, communism is only possible as the act of the dominant peoples "all at once" and simultaneously, which presupposes the universal development of productive forces and the world intercourse bound up with communism. How otherwise could for instance property have had a history at all, have taken on different forms, and landed property, for example, according to the different premises given, have proceeded in France from parcellation to centralization in the hands of a few, in England from centralization in the hands of a few to parcellation, as is actually the case today?[2] Or how does it happen that trade, which after all is nothing more than the exchange of products of various individuals and countries, rules the whole world through the relation of supply and demand—a relation which, as an English economist says, hovers over the earth like the fate of the ancients, and with invisible hand[3] allots fortune and misfortune to men, sets up empires and overthrows empires, causes nations to rise and to disappear—while with the abolition of the basis of private property, with the communistic regulation of production (and, implicit in this, the destruction of the alien relation between men and what they themselves produce), the power of the relation of supply and demand is dissolved into nothing, and men get exchange, production, the mode of their mutual relation, under their own control again?

Communism is for us not a state of affairs which is to be established, an ideal to which reality will have to adjust itself. We call communism the real movement which abolishes the present state of things. The conditions of this movement result from the premises now in existence. Moreover, the mass of propertyless workers—the utterly precarious position of labor—power on a mass scale cut off from capital or from even a limited satisfaction and, therefore, no longer merely temporarily deprived of work itself as a secure source of life—presupposes the world market through competition. The proletariat can thus only exist world-historically, just as communism, its activity, can only have a "world-historical" existence. World-historical existence of individuals means existence of individuals which is directly linked up with world history.

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[1] *And out of this very contradiction ... governor of these* This paragraph appears as a marginal note in the manuscript.

[2] *in France ... today* Some have suggested that Marx may have carelessly interchanged "France" and "England" here; elsewhere Marx tells the story of how land in *England* passed out of the hands of many into the hands of the few (*Capital*, 2, 27–29).

[3] *invisible hand* The phrase "invisible hand" originates with the Scottish economist and philosopher Adam Smith (1723–90). He used this as a metaphorical way of referring to economic forces in capitalism. Each individual pursuing his or her private interest in the market would produce social benefits for the benefit of rich and poor alike.

The form of intercourse determined by the existing productive forces at all previous historical stages, and in its turn determining these, is civil society. The latter, as is clear from what we have said above, has as its premises and basis the simple family and the multiple, the so-called tribe, the more precise determinants of this society are enumerated in our remarks above. Already here we see how this civil society is the true source and theater of all history, and how absurd is the conception of history held hitherto, which neglects the real relationships and confines itself to high-sounding dramas of princes and states.

Civil society embraces the whole material intercourse of individuals within a definite stage of the development of productive forces. It embraces the whole commercial and industrial life of a given stage and, insofar, transcends the State and the nation, though, on the other hand again, it must assert itself in its foreign relations as nationality, and inwardly must organize itself as State. The word "civil society" emerged in the eighteenth century, when property relationships had already extricated themselves from the ancient and medieval communal society. Civil society as such only develops with the bourgeoisie; the social organization evolving directly out of production and commerce, which in all ages forms the basis of the State and of the rest of the idealistic superstructure, has, however, always been designated by the same name.

[...]

The ideas of the ruling class are in every epoch the ruling ideas, i.e., the class which is the ruling material force of society, is at the same time its ruling intellectual force. The class which has the means of material production at its disposal, has control at the same time over the means of mental production, so that thereby, generally speaking, the ideas of those who lack the means of mental production are subject to it. The ruling ideas are nothing more than the ideal expression of the dominant material relationships, the dominant material relationships grasped as ideas; hence of the relationships which make the one class the ruling one, therefore, the ideas of its dominance. The individuals composing the ruling class possess among other things consciousness, and therefore think. Insofar, therefore, as they rule as a class and determine the extent and compass of an epoch, it is self-evident that they do this in its whole range, hence among other things rule also as thinkers, as producers of ideas, and regulate the production and distribution of the ideas of their age: thus their ideas are the ruling ideas of the epoch. For instance, in an age and in a country where royal power, aristocracy, and bourgeoisie are contending for mastery and where, therefore, mastery is shared, the doctrine of the separation of powers proves to be the dominant idea and is expressed as an "eternal law."

The division of labor, which we already saw above as one of the chief forces of history up till now, manifests itself also in the ruling class as the division of mental and material labor, so that inside this class one part appears as the thinkers of the class (its active, conceptive ideologists, who make the perfecting of the illusion of the class about itself their chief source of livelihood), while the others' attitude to these ideas and illusions is more passive and receptive, because they are in reality the active members of this class and have less time to make up illusions and ideas about themselves. Within this class this cleavage can even develop into a certain opposition and hostility between the two parts, which, however, in the case of a practical collision, in which the class itself is endangered, automatically comes to nothing, in which case there also vanishes the semblance[1] that the ruling ideas were not the ideas of the ruling class and had a power distinct from the power of this class. The existence of revolutionary ideas in a particular period presupposes the existence of a revolutionary class; about the premises for the latter sufficient has already been said above.

If now in considering the course of history we detach the ideas of the ruling class from the ruling class itself and attribute to them an independent existence, if we confine ourselves to saying that these or those ideas were dominant at a given time, without bothering ourselves about the conditions of production and the producers of these ideas, if we thus ignore the individuals and world conditions which are the source of the ideas, we can say, for instance, that during the time that the aristocracy was dominant, the concepts honor, loyalty, etc. were dominant, during the dominance of the bourgeoisie the concepts freedom, equality, etc. The ruling class itself on the whole imagines this to be so. This conception of history, which is common to all historians, particularly since the eighteenth century, will necessarily come up against the phenomenon that increasingly abstract ideas hold sway, i.e., ideas which increasingly take on the form of universality. For each new class which puts itself in the place of one ruling before it, is compelled, merely in order to carry through its aim, to represent its interest as the common interest of all the members of society, that is, expressed in ideal form: it has to give its ideas the form of universality, and represent them as the only rational, universally valid ones. The class making a revolution appears from the very start, if only because it is opposed to a *class*, not as a class but as the representative of the whole of society; it appears as the whole mass of society confronting the one ruling class. It can do this because, to start with, its interest really is more connected with the common interest of all other non-ruling classes, because under the pressure of hitherto existing conditions its interest has not yet been able to develop as the particular interest of a particular class. Its victory, therefore, benefits also many individuals of the other classes which are not winning a dominant position, but only insofar as it now puts these individuals in a position to raise themselves into the ruling class. When the French bourgeoisie overthrew the power of the aristocracy, it thereby made it possible for many proletarians to raise themselves above the proletariat, but only insofar as they become bourgeois. Every new class, therefore, achieves its hegemony[1] only on a broader basis than that of the class ruling previously, whereas the opposition of the non-ruling class against the new ruling class later develops all the more sharply and profoundly. Both these things determine the fact that the struggle to be waged against this new ruling class, in its turn, aims at a more decided and radical negation of the previous conditions of society than could all previous classes which sought to rule.

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[1] *semblance* Outward appearance.

This whole semblance, that the rule of a certain class is only the rule of certain ideas, comes to a natural end, of course, as soon as class rule in general ceases to be the form in which society is organized, that is to say, as soon as it is no longer necessary to represent a particular interest as general or the "general interest" as ruling.

◆ ◆ ◆ ◆ ◆

Theses on Feuerbach (1845)[2]

1

The chief defect of all hitherto existing materialism—that of Feuerbach included—is that the thing, reality, sensuousness, is conceived only in the form of the object or of contemplation, but not as sensuous human activity, practice, not subjectively. Hence, in contradistinction to materialism, the active side was developed abstractly by idealism—which, of course, does not know real, sensuous activity as such. Feuerbach wants sensuous objects, really distinct from the thought objects, but he does not conceive human activity itself as objective activity. Hence, in *The Essence of Christianity*, he regards the theoretical attitude as the only genuinely human attitude, while practice is conceived and fixed only in its dirty-judaical[3] manifestation. Hence he does not grasp the significance of "revolutionary," of "practical-critical," activity.

2

The question whether objective truth can be attributed to human thinking is not a question of theory but is a practical question. Man must prove the truth—i.e., the reality and power, the this-sidedness of his thinking in practice. The dispute over the reality or non-reality of thinking that is isolated from practice is a purely *scholastic* question.

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[1] *hegemony* Authority and control in society by one group over the others.

[2] *Feuerbach* Ludwig Feuerbach (1804–72), German philosopher and proponent of materialism. Marx initially shared many of Feuerbach's ideas, but in the 1840s increasingly differentiated his own form of materialist philosophy from that of Feuerbach.

[3] *dirty-judaical* Another translation has been "dirty-Jewish." A common manifestation of anti-Semitism was (and is) the association of Jews with allegedly less attractive aspects of "money-grubbing" capitalism such as money lending; in Germany, Britain, and most other European societies Jews were prevented from entering most respectable professions, but were nevertheless disparaged for pursuing those few occupations (such as money-lending) that were open to them. Commentators differ on the question of whether the comment here expresses anti-Semitism on Marx's part, or is meant to imply that Feuerbach was anti-Semitic. (Though Marx's parents came from a Jewish background, he was raised in part as a Lutheran, and some other passages in his works indicate that he shared to some degree in the anti-Semitism that was prevalent at the time.)

3

The materialist doctrine concerning the changing of circumstances and upbringing forgets that circumstances are changed by men and that it is essential to educate the educator himself. This doctrine must, therefore, divide society into two parts, one of which is superior to society.

The coincidence of the changing of circumstances and of human activity or self-changing can be conceived and rationally understood only as revolutionary practice.

4

Feuerbach starts out from the fact of religious self-alienation, of the duplication of the world into a religious world and a secular one. His work consists in resolving the religious world into its secular basis. But that the secular basis detaches itself from itself and establishes itself as an independent realm in the clouds can only be explained by the cleavages and self-contradictions within this secular basis. The latter must, therefore, in itself be both understood in its contradiction and revolutionized in practice. Thus, for instance, after the earthly family is discovered to be the secret of the holy family, the former must then itself be destroyed in theory and in practice.

5

Feuerbach, not satisfied with abstract thinking, wants contemplation; but he does not conceive sensuousness as practical, human-sensuous activity.

6

Feuerbach resolves the religious essence into the human essence. But the human essence is no abstraction inherent in each single individual. In its reality it is the ensemble of the social relations.

Feuerbach, who does not enter upon a criticism of this real essence, is consequently compelled:

(1) To abstract from the historical process and to fix the religious sentiment as something by itself and to presuppose an abstract—*isolated*—human individual.

(2) Essence, therefore, can be comprehended only as "genus," as an internal, dumb generality which naturally unites the many individuals.

7

Feuerbach, consequently, does not see that the "religious sentiment" is itself a social product, and that the abstract individual whom he analyzes belongs to a particular form of society.

8

All social life is essentially practical. All mysteries which lead theory to mysticism find their rational solution in human practice and in the comprehension of this practice.

9

The highest point reached by contemplative materialism, that is, materialism which does not comprehend sensuousness as practical activity, is contemplation of single individuals and of civil society.

10

The standpoint of the old materialism is civil society; the standpoint of the new is human society, or social humanity.

11

The philosophers have only interpreted the world, in various ways; the point is to change it.

◆ ◆ ◆ ◆ ◆

The Communist Manifesto (1848)

A specter is stalking Europe—the specter of Communism. All the Powers of Old Europe have bound themselves in a crusade against this specter: the Pope[1] and the Czar,[2] Metternich[3] and Guizot,[4] French Radicals[5] and German police.

Where is the opposition party that has not been denounced as Communistic by its opponents in power? Where the opposition party that has not hurled back the branding reproach of Communism against the more progressive members of the opposition as well as against its reactionary adversaries?

Two things stem from this fact:

> 1. Communism is already acknowledged by all European Powers to be a Power.
>
> 2. It is high time that the Communists openly set forth before the whole world their perspective, their aims, their tendencies, and meet this fairy tale about the Specter of Communism with a Manifesto of the Party itself.

To this end, Communists of the most diverse nationalities have assembled in London, and devised the following Manifesto, that is to be published in the English, French, German, Italian, Flemish and Danish languages.[6]

1. Bourgeois and Proletarians

> The history of all society hitherto is the history of class struggles.[7]

Freeman and slave, patrician and plebeian, lord and serf, guild-master and journeyman, in short, oppressor and oppressed, situated in constant opposition to one another, carried on an uninterrupted, now hidden, now open, conflict, a fight that each time ended in a revolutionary transformation of the entire society or in the common ruin of the contending classes.

In the earlier epochs of history, we find almost everywhere a comprehensive articulation[8] of society into various orders, a manifold gradation of social ranks. In ancient Rome we have patricians, knights, plebeians, slaves; in the Middle Ages, feudal lords, vassals, guild-masters, journeymen, apprentices, serfs;[9] and in almost all of these classes further specific gradations.

The modern bourgeois society that has sprouted from the ruins of feudal society has not done away with class antagonisms. It has but established new classes, new conditions of oppression, new forms of struggle in place of the old ones.

However, our epoch, the epoch of the bourgeoisie distinguishes itself by the fact it has simplified the class antagonisms. Society as a whole is more and more splitting up into two great hostile camps, into two great classes directly confronting each other: Bourgeoisie and Proletariat.

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[1] *the Pope* Pius IX.

[2] *the Czar* Nicholas I.

[3] *Metternich* Klemens Wenzel von Metternich (1773–1859), prince responsible for shoring up what Marx called the "mouldering edifice" of the Austro-Hungarian empire.

[4] *Guizot* François Guizot (1787–1874), conservative French Foreign Minister 1840–48.

[5] *French Radicals* Not the revolutionary sort but bourgeois moderates, both anti-monarchist and anti-populist.

[6] However only one translation—into Swedish—was published in 1848–49, and widespread translation and reprinting of the *Manifesto* did not begin until after 1870.

[7] *class struggles* [Engels' note, added to the 1888 edition] That is, all *written* history. In 1847, the pre-history of society, the social organization existing previous to recorded history, was all but unknown. Since then, [August von] Haxthausen discovered common ownership of land in Russia, [Georg Ludwig von] Maurer proved it to be the social foundation from which all Teutonic races started in history, and by and by village communities were found to be, or to have been the primitive form of society everywhere from India to Ireland. The inner organization of this primitive Communistic society was laid bare, in its typical form, by [Lewis Henry] Morgan's crowning discovery of the true nature of the *gens* and its relation to the *tribe*. With the dissolution of these primeval communities society begins to be differentiated into separate and finally antagonistic classes. I have attempted to retrace this dissolution in *Der Ursprung der Familie, des Privateigenthums und des Staats* [*The Origins of the Family, Private Property and the State*], second edition, Stuttgart, 1886.

[8] *articulation* Distinguished into distinct units that are nonetheless joined together.

[9] *ancient Rome … serfs* In ancient Rome, patricians were hereditary nobility; knights were an upper class defined by their high level of property ownership; plebeians the common people. In medieval feudal Europe, serfs were low-class farmers, bound to the lord's land (with which they could be sold), and forced to work for him; vassals were those held under bonds of obedience to a lord, in exchange for land and protection, and could be nobles, subservient to a king. Guilds were associations of independent craftsmen, formed both for their protection and to regularize their procedures. A guild-master was a skilled and qualified craftsman ("master craftsman") within a guild; apprentices were trainees, attached by contract for a specified period to a skilled craftsman; journeymen were qualified tradesmen who were not yet allowed (by the guild) to work independently, and so worked as day-laborers, receiving wages from employers.

From the serfs of the Middle Ages sprang the chartered burghers[1] of the earliest towns. From this bourgeoisification the first elements of the bourgeoisie were developed.

The discovery of America, the rounding of the Cape,[2] opened up a new terrain for the rising bourgeoisie. The East-Indian and Chinese markets, the colonization of America, trade with the colonies, the increase in the means of exchange and in commodities generally, gave to commerce, to navigation, to industry, an impulse never before known, and thereby, to the revolutionary element in the tottering feudal society, a rapid development.

The hitherto existing feudal or guild system of industry could no longer cope with the growing needs of the new markets. The manufacturing system took its place. The guild-masters were pushed to one side by the manufacturing[3] middle class; the division of labor between the different corporate guilds vanished before the division of labor within the selfsame workshop.

But the markets kept constantly growing, the demand constantly rising. Even manufacture no longer coped. Thereupon, steam and machinery revolutionized industrial production. The place of manufacture was taken by modern big industry, the place of the industrial middle class by industrial millionaires, the leaders of whole industrial armies, the modern bourgeois.

Big industry has established the world market, for which the discovery of America prepared the way. This market has given an inestimable development to commerce, to navigation, to communication by land. This development has, in its turn, reacted on the extension of industry; and in proportion as industry, commerce, navigation, railways extended, in the same proportion the bourgeoisie extended, increased its capital, and pushed into the background all of the classes handed down from the Middle Ages.

We see, therefore, how the modern bourgeoisie is itself the product of a long course of development, of a series of revolutions in the modes of production and of exchange.

Each of these steps in the development of the bourgeoisie was accompanied by a corresponding political advance of that class. An oppressed cohort[4] under the sway of the feudal nobility, armed and self-governing associations in the commune;[5] here independent urban republic, there taxable third estate[6] of the monarchy, afterwards, in the period of manufacture proper, serving either the semi-feudal or the absolute monarchy as a counterpoise[7] against the nobility, and as cornerstone of the great monarchies in general. The bourgeoisie has at last, since the establishment of big industry and of the world market, acquired for itself, in the modern representative State,[8] exclusive political sway. The executive of the modern State is but a committee for managing the common affairs of the whole bourgeoisie.

The bourgeoisie has played an intensely revolutionary part in history.

The bourgeoisie, wherever it has got the upper hand, has put an end to all feudal, patriarchal,[9] idyllic relations. It has remorselessly torn asunder the motley feudal ties that bound people to their natural superiors, and has left remaining no other nexus between two people than naked self-interest, than callous "cash payment." It has drowned the heavenly ecstasies of religious fervor, of chivalrous enthusiasm, of philistine sentimentalism, in the ice-cold water of egotistical calculation. It has dispersed personal worth into exchange value, and in place of the numberless chartered, fully earned freedoms has set up a single, unconscionable freedom—Free Trade. In a word, in place of exploitation, veiled by religious and political illusions, it has substituted public, shameless, direct, blatant exploitation.

The bourgeoisie has stripped of its halo every occupation hitherto honored and looked up to with reverent awe.

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[1] *chartered burghers* A *burgher* was a middle-class citizen of a town; a *chartered burgher* was a citizen of a town by virtue of being a full member of a legally chartered trade association or guild.

[2] *Cape* Cape of Good Hope, at the southern tip of Africa.

[3] *manufacturing* This word is used here in its original sense of making by hand.

[4] *cohort* Group of people.

[5] *commune* In medieval Europe, alliances of members of a town for mutual defense. (There is no suggestion of "communism" in the word used this way.)

[6] *third estate* In pre-Revolutionary France society was considered divided into three "estates": the First Estate was the clergy; the Second was the nobility; and the Third was everyone else—though sometimes this term is used the way Marx does, excluding the peasantry, including just the middle class.

[7] *counterpoise* Counterweight.

[8] *modern representative State* One whose institutions are based on the political representation of *individuals*, in contrast to earlier states where social corporations (such as towns or guilds) or estates (such as the nobility or the clergy) were politically represented.

[9] *patriarchal* Relating to historical societies in which the important organizational unit is the (very) extended family, or clan.

It has converted the physician, the lawyer, the priest, the poet, the researcher, into its paid wage-laborers.

The bourgeoisie has torn away from the connectedness of the family its consoling veil, and has reduced it to a merely monetary relation.

The bourgeoisie has disclosed how the brutal display of vigor in the Middle Ages, which reactionaries so much admire, found its fitting complement in the most slothful indolence. It has been the first to show what human effort can achieve. It has worked wonders of a different order than Egyptian pyramids, Roman aqueducts, and Gothic cathedrals; it has conducted expeditions of a different order than all diasporas[1] of peoples and crusades.

The bourgeoisie cannot exist without constantly revolutionizing the instruments of production, thereby the relations of production, and hence social relations in their entirety. Retaining the old mode of production in unaltered form, was, by contrast, the first condition of existence for all earlier industrial classes. Constant, radical transformation of production, uninterrupted disturbance of all social conditions, everlasting insecurity and mobility distinguish the bourgeois epoch from all earlier ones. All relations fixed, corroded fast, with their retinue of ancient and venerable thinking and opinion, are dispersed, all new-formed ones become antiquated before they can ossify. Everything set and stolid turns to vapor, all that is holy is profaned, and people are at last compelled to confront soberly their situation in life, their relations to others.

The need for a constantly expanding market for its products chases the bourgeoisie over the whole surface of the globe. It must nestle everywhere, settle everywhere, establish connections everywhere.

The bourgeoisie has through its exploitation of the world market given a cosmopolitan character to production and consumption of all countries. To the great chagrin of reactionaries, it has removed from under the feet of industry the national ground. All venerable national industries have been destroyed or are daily being destroyed. They are dislodged by new industries, whose introduction becomes a life-and-death question for all civilized nations, by industries that no longer work up native raw material, but raw material drawn from the remotest zones; industries whose products are consumed not only at home but in every part of the world. In place of the old wants, satisfied by the productions of the country, emerge new wants requiring for their satisfaction the products of the most remote lands and climes. In place of the old local and national seclusion and self-sufficiency, there emerges multifaceted intercourse,[2] a comprehensive interdependence of nations. And as in material, so also in intellectual production the intellectual products of individual nations become common property. National one-sidedness and narrow-mindedness become more and more impossible, and from the numerous national and local literatures a world literature forms itself.

The bourgeoisie, by the rapid improvement of all instruments of production, by the immensely facilitated means of communication, draws all nations, even the most barbarian, into civilization. The cheap prices of its commodities are the heavy artillery with which it batters down all Chinese walls, with which it forces the barbarians' most entrenched hatred of foreigners to capitulate.[3] It compels all nations, if they are not to be overwhelmed, to adopt the bourgeois mode of production; it compels them to introduce what it calls civilization into their midst, i.e., to become bourgeois themselves. In a word, it creates a world after its own image.

The bourgeoisie has subjected the country to the rule of the towns. It has created enormous cities, has greatly increased the urban population as compared with the rural, and has thus rescued a considerable part of the population from the idiotism of rural life. Just as it has made the country dependent on the town, so it has made barbarian and semi-barbarian countries dependent on the civilized ones, nations of peasants on nations of bourgeois, the East on the West.

The bourgeoisie keeps more and more doing away with the scattered state of the population, of the means of production, and of property. It has agglomerated[4] the population, centralized means of production, and concentrated property in a few hands. The necessary consequence of this was political centralization. Independent or but loosely connected provinces with separate interests, laws, governments and systems of taxation, were pressed together into one nation, one government, one code of laws, one national class-interest, one tariff-zone.[5]

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[1] *diasporas* Dispersions from their home location.

[2] *intercourse* Mutual dealings, social activity. In Marx, this refers particularly to economic relations.

[3] *The cheap prices … capitulate* This is a reference to the first Opium War in China (1839–43); the Chinese capitulated and were forced to cede Hong Kong to the British and to open five of their ports to foreign trade.

[4] *agglomerated* Gathered together into a mass.

[5] *tariff-zone* Zone in which taxes on imports are the same.

The bourgeoisie, during its rule of scarce one hundred years, has created more massive and more colossal productive forces than have all preceding generations together. Subjection of Nature's forces to man, machinery, application of chemistry to industry and agriculture, steam-navigation, railways, electric telegraphs, clearing of whole continents for cultivation, making river-traffic possible, whole populations conjured out of the ground—what earlier century had even a presentiment that such productive forces slumbered in the lap of social labor?

We have seen then, that the means of production and of exchange, on whose foundation the bourgeoisie built itself up, were generated in feudal society. At a certain stage in the development of these means of production and of exchange, the conditions under which feudal society produced and exchanged, the feudal organization of agriculture and manufacturing industry, in a word, the feudal relations of property became no longer compatible with the already developed productive forces; they transformed themselves into so many fetters. They had to be burst asunder; they were burst asunder.

Into their place stepped free competition, accompanied by the social and political constitution adapted to it, and by the economical and political sway of the bourgeois class.

A similar movement is going on before our very eyes. Modern bourgeois society with its relations of production, of exchange and of property, a society that has conjured up such gigantic means of production and of exchange, is like the sorcerer who is no longer able to control the powers of the nether world whom he has summoned by his spells. For many a decade past the history of industry and commerce is but the history of the revolt of modern productive forces against the modern conditions of production, against the property relations that are the conditions of existence of the bourgeoisie and of its rule. It is enough to mention the commercial crises that by their political return put on trial, ever more threateningly, the existence of the entire bourgeois society. In these commercial crises a great part not only of the products produced but also of the previously created productive forces, are regularly destroyed.[1] In these crises there breaks out a social epidemic that in all earlier epochs would have seemed an absurdity—the epidemic of over-production. Society suddenly finds itself returned to a state of passing barbarism; it appears as if a famine, a universal war of devastation had cut off the supply of every means of subsistence; industry and commerce seem to be destroyed. And why? Because there is too much civilization, too much means of subsistence, too much industry, too much commerce. The productive forces at our disposal no longer tend to further the development of the relations of bourgeois civilization; on the contrary, they have become too powerful for these relations by which they are encumbered, and so soon as they overcome these encumbrances, they bring into disorder the whole of bourgeois society, then endanger the existence of bourgeois property. The relations of bourgeois society have become too narrow to comprise the wealth created by them. And how does the bourgeoisie get over these crises? On the one hand by the enforced destruction of a mass of productive forces; on the other by the conquest of new markets, and by the more thorough exploitation of the old ones. And by what means? By preparing the way for more general and more destructive crises, and by diminishing the means whereby crises are prevented.

The weapons with which the bourgeoisie felled feudalism to the ground are now turned against the bourgeoisie itself.

But not only has the bourgeoisie forged the weapons that bring death to itself; it has also called into existence the people who are to wield those weapons—the modern workers, the proletarians.

To the same degree as the bourgeoisie, i.e., capital, is developed, so is the proletariat, the modern working class, developed—a class of laborers, who live only so long as they find work, and who find work only so long as their labor increases capital. These workers who must sell themselves piecemeal are a commodity, like every other article of commerce, and are consequently exposed equally to all the vicissitudes of competition, all the fluctuations of the market.

Owing to the expanded use of machinery and to division of labor, the work of the proletarians has lost all individual character, and, consequently, all charm for the worker. He becomes a mere appendage of the machine, and it is only the most simple, most monotonous, and most easily acquired dexterity that is required of them. The cost of production of workers is restricted, almost entirely, to the means of subsistence that they require to maintain themselves and reproduce their stock.[1] But the price of a commodity, and therefore also of labor, is equal to its cost of production. In proportion, therefore, as the repulsiveness of the work increases, the wage decreases. Nay more, in proportion as the use of machinery and division of labor increases, in the same proportion the burden of toil also increases, whether by extension of the working hours, by increase of the work exacted in a given time, by increased speed of the machinery, etc.

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[1] *commerical crises ... destroyed* Such crises occurred regularly in advanced capitalist economies from 1825 until 1939. Periodically, as more and more companies joined a particular industry, firms found themselves facing a glut of their products on the market. This over-supply depressed the price of each good below expected profit levels, and so companies suddenly began to cut back their production: each time, these cutbacks started a vicious chain reaction, as their suppliers were also forced to make cutbacks, which increased the unemployment rate, which reduced consumer spending and so increased over-supply, which depressed prices still further, and so on. At the height of the Great Depression of the 1930s, the worst such crisis, unemployment reached 25 per cent in the United States. Marx provided a sophisticated analysis of such crises in *Capital.*

Modern industry has converted the little workshop of the patriarchal master into the great factory of the industrial capitalist. Masses of workers, pressed together in the factory, are organized like soldiers. As ordinary soldiers in the industrial army they are placed under the command of a comprehensive hierarchy of sub-officers and officers. Not only are they slaves of the bourgeois class, and of the bourgeois state; they are daily and hourly enslaved by the machine, by the overseer, and, above all, by the individual bourgeois manufacturer himself. The more openly this despotism proclaims gain to be its ultimate goal, the more petty, hateful and the more embittering it is.

The less the skill and exertion of strength implied in manual labor, in other words, the more modern industry becomes developed, the more is the labor of men superseded by that of women. Differences of age and sex have no longer any social validity for the working class. They are only instruments of labor, more or less costly to use, according to their age and sex.

No sooner is the exploitation of the laborer by the manufacturer, so far, at an end, and he receives his wages in cash, than he is set upon by the other portions of the bourgeoisie, the landlord, the shopkeeper, the pawnbroker, etc.

The lower strata of the middle class—the small tradespeople, shopkeepers, and retired tradesmen, the handicraftsmen and peasants—all these cohorts sink into the proletariat, partly because their meager capital does not suffice for the scale on which big industry is carried on, and is swamped in the competition with the bigger capitalists, partly because their skill is rendered worthless by new methods of production. Thus the proletariat is recruited from all classes of the population.

The proletariat goes through various stages of development. With its birth begins its struggle with the bourgeoisie.

At first the contest is carried on by individual laborers, then by the workpeople of a factory, then by the operatives of one trade, in one locality, against the individual bourgeois who directly exploits them. They direct their attacks not only against the bourgeois conditions of production, but they direct them against the instruments of production themselves; they destroy imported wares that compete with their labor, they smash machinery, they set factories ablaze, they seek to restore by force the vanished status of the worker in the Middle Ages.

At this stage the workers form a mass scattered over the whole country and fragmented by competition. Uniting to form more compact bodies is not yet the consequence of their own active union, but the uniting of the bourgeoisie, which, in order to attain its own political ends, is compelled to set the whole proletariat in motion, and is yet for a time able to do so. At this stage, then, the proletarians do not fight their enemies, but the enemies of their enemies, the remnants of absolute monarchy, the landowners, the non-industrial bourgeois, the petty bourgeoisie.[2] In this fashion, the whole historical movement is concentrated in the hands of the bourgeoisie; every victory so obtained is a victory for the bourgeoisie.

But with the development of industry the proletariat not only increases in number; it becomes concentrated into greater masses, its strength grows, and it feels its strength more. The interests and conditions of life within the ranks of the proletariat are more and more alike, in proportion as machinery obliterates distinctions of labor, and nearly everywhere reduces wages to the same low level. The growing competition among the bourgeois, and the resulting commercial crises, make the wages of the workers ever more fluctuating. The unceasing improvement of machinery, ever more rapidly developing, makes their situation in life more and more precarious; the collisions between individual workers and individual bourgeois take more and more the character of collisions between two classes. Thereupon the workers begin to form combinations against the bourgeois;

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[1] *stock* "Family," "race," "line of descent."

[2] *petty bourgeoisie* Lower middle-class, including independent shopkeepers and small farmers; they control means of production (as do the bourgeoisie), but unlike the bourgeoisie they operate the means of production that they control. (In relying on their own labor they resemble the proletariat.)

they club together in order to keep up wages. They enter into long-term associations in order to make provision beforehand for these occasional revolts. Here and there the struggle breaks out into riots.

From time to time the workers are victorious, but only for a time. The real fruit of their struggles lies, not in the immediate result, but in the ever more inclusive union of the workers. It is assisted by the enhanced means of communication that are created by big industry and that place the workers of different localities in contact with one another. It was just this contact that was needed to centralize the numerous local struggles, all of the same character, into one national struggle between classes. But every class struggle is a political struggle. And that union, to attain which the burghers[1] of the Middle Ages with their miserable highways required centuries, the modern proletarians by means of railways achieve in a few years.

This organization of the proletarians into a class, and consequently into a political party, is at every instant unsettled again by the competition between the workers themselves. But it always rises up again, stronger, firmer, mightier. It compels legislative recognition of particular interests of the workers by making use of the divisions within the bourgeoisie itself. And so the Ten Hours Bill in England.[2]

Overall, collisions within the old society further, in many ways, the course of development of the proletariat. The bourgeoisie is embroiled in an ongoing struggle: at first with the aristocracy; later on with those portions of the bourgeoisie itself whose interests have been set at odds with the progress of industry; at all times, with the bourgeoisie of all foreign countries. In all these struggles it sees itself required to appeal to the proletariat, to ask for its help, and thus to propel it into the political arena. The bourgeoisie itself, therefore, supplies the proletariat with its own elements of education, that is to say, with weapons usable against itself.

Moreover, as we saw, entire sections of the ruling classes are by the advance of industry precipitated into the proletariat or are at least threatened in their conditions of existence. These also supply the proletariat with a significant amount of educational elements.

Finally, in times when the class struggle nears decision, the process of dissolution inside the ruling class, within the whole of old society, assumes such a violent, glaring character, that a small section of the ruling class cuts itself adrift to join the revolutionary class, the class that holds the future in its hands. Just as, therefore, at an earlier period, a section of the nobility went over to the bourgeoisie, so now a portion of the bourgeoisie goes over to the proletariat, and in particular a portion of the bourgeois ideologists, who have raised themselves to a theoretical understanding of the historical in its entirety.

Of all the classes that stand face to face with the bourgeoisie today, the proletariat alone is a really revolutionary class. The other classes decay and go under in the presence of big industry; the proletariat is its very own product.

The middling levels—the small manufacturer, the small trader, the artisan, the peasant—all these fight against the bourgeoisie to save from extinction their existence as fractions of the middle class. They are therefore not revolutionary, but conservative. Nay more, they are reactionary, for they try to roll back the wheel of history. Should they be revolutionary, they are so in view of their impending transfer into the proletariat; they thus defend not their present but their future interests, they abandon their own standpoint in order to set themselves on proletarian ground.

The lumpenproletariat,[3] that passive putrifying of the lowest layers of old society, may here and there be swept into the movement by a proletarian revolution; its lot in life, however, disposes it more readily to be bought for the cause of reactionary intrigue.[4]

The conditions of existence of old society are already nullified in the conditions of existence of the proletariat. The proletarian is without property; his relation to wife and children has nothing else in common with bourgeois family relations; modern industrial labor, modern subjection to capital, the same in England as in France, in America as in Germany, has stripped him of every trace of national character. Law, morality, religion, are to him so many bourgeois prejudices, behind which lurk many bourgeois interests.

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[1] *burghers* The middle-class: merchants, etc.

[2] *Ten Hours Bill in England* This law—part of the 1847 Factory Act—limited the daily working hours of women and children to 58 hours a week. It was highly controversial, and succeeded in being passed by Parliament only because of the willingness of conservative "Old England" landowners to oppose the interests of the ever-more-powerful industrialists and mill owners.

[3] *lumpenproletariat* German: "proletariat in rags." Permanent underclass, composed of criminals, the homeless, the permanently unemployed. "This scum of the depraved elements of all classes … decayed roués, vagabonds, discharged soldiers, discharged jailbirds, escaped galley slaves, swindlers, mountebanks [itinerants selling fake cures and patent medicines], lazzaroni [homeless of Naples], pickpockets, tricksters, gamblers, brothel keepers, tinkers, beggars, the dangerous class, the social scum, that passively rotting mass thrown off by the lowest layers of the old society" (Marx, *The Eighteenth Brumaire of Louis Bonaparte*).

[4] *intrigue* Secret underhanded schemes. For Marx and Engels, the hopeless and displaced state of the lumpenproletariat makes them susceptible to becoming bribed agents of the state.

All the preceding classes that got the upper hand, ought to secure their already acquired status by subjecting society at large to their conditions of appropriation. The proletarians cannot take command of the productive forces of society, except by abolishing their own previous mode of appropriation, and thereby also every other previous mode of appropriation. The proletarians have nothing of their own to protect; their mission is to destroy all hitherto existing protection and insurance for private holdings.

All previous historical movements were movements of minorities, or in the interest of minorities. The proletarian movement is the independent movement of the immense majority in the interest of the immense majority. The proletariat, the lowest stratum of our present society, cannot raise itself up, cannot stand up straight, without exploding the whole stratified superstructure of official society.

Though not in substance, yet in form, the struggle of the proletariat with the bourgeoisie is at first a national one. The proletariat of each country must naturally first of all settle matters with its own bourgeoisie.

In depicting the most general phases of the development of the proletariat, we traced the more or less concealed civil war within existing society, up to the point where that war breaks out into open revolution, and where the forceful overthrow of the bourgeoisie lays the foundation for the sway of the proletariat.

Hitherto, every form of society has been based, as we have already seen, on the antagonism of oppressing and oppressed classes. But in order to oppress a class, certain conditions must be assured to it under which it can, at least, continue its slavish existence. The serf, in the period of serfdom, raised himself to membership in the commune, just as the petty bourgeois, under the yoke of feudal absolutism, managed to develop into a bourgeois. The modern worker, on the contrary, instead of rising with the progress of industry, sinks deeper and deeper below the conditions of existence of his own class. He becomes a pauper, and pauperism develops more rapidly than population and wealth. And here it becomes evident that the bourgeoisie is unfit any longer to be the ruling class in society, and to impose its conditions of existence upon society as directive law. It is unfit to rule because it is incompetent to assure an existence to its slave within his slavery, because it cannot help letting them sink into such a state that it has to feed him instead of being fed by him. Society can no longer live under it; i.e., its existence is no longer compatible with society.

The most essential condition for the existence and for the sway of the bourgeois class is the accumulation of riches in private hands, the formation and augmentation of capital. The condition for capital is wage-labor. Wage-labor rests exclusively on competition between the laborers. The advance of industry, whose unwilling and unstoppable instrument is the bourgeoisie, replaces the isolation of the workers due to competition by their revolutionary combination due to association. The development of big industry, therefore, cuts from under its feet the very foundation on which the bourgeoisie produces and appropriates products. It produces, above all, its own grave-diggers. Its fall and the victory of the proletariat are alike inevitable.

2. *Proletarians and Communists*

In what relation do the Communists stand to the proletarians in general?

The Communists do not constitute a party distinct from other workers parties.

They have no interests separate from those of the proletariat as a whole.

They do not lay out any principles peculiar to themselves, through which they wish to mould the proletarian movement.

The Communists are distinguished from the other working-class parties by this only, that, in the various national struggles common to the proletarians, they point out and bring to prominence the shared interests of the entire proletariat, independent of nationality; and that, on the other hand, in the various stages of development which the struggle of the working class against the bourgeoisie passes through, they always represent the interests of the movement as a whole.

The Communists, therefore, are in effect, the most resolute section of the workers parties of every country, always pressing further; on the other hand, they have over the great mass of the proletariat the theorizing edge in understanding the conditions, heading, and the general results of the proletarian movement.

The immediate aim of the Communists is the same as that of all the other proletarian parties: formation of the proletariat into a class, overthrow of the bourgeois rule, conquest of political power by the proletariat.

The theoretical conclusions of the Communists are in no way based on ideas or principles that have been invented, discovered by this or that global improver.

They are simply general versions of actual relations in an existing class struggle, in a historical movement going on before our eyes. The abolition of existing property relations is not an indicator exclusive to Communism.

All property relations have been subject to continual historical change, a persistent historical alteration.

The French Revolution, for example, abolished feudal property in favor of bourgeois property.

What distinguishes Communism is not the abolition of property generally, but the abolition of bourgeois property.

But modern bourgeois private property is the final and most complete expression of the production and appropriation of products based on class antagonisms, on the exploitation of some by others.

In this sense, the Communists can sum up their theory in this one motto: abolition of private property.

We Communists have been reproached for wishing to abolish the right to acquire personal property by working for it oneself, which property is alleged to be the foundation of all personal freedom, activity and independence.

Hard-won, self-acquired, self-earned property! Do you mean the property of the petty bourgeois and the small peasant, a form of property that preceded bourgeois property? We have no need to abolish it; the development of industry has abolished it and abolishes it every day.

Or do you speak of modern bourgeois private property?

But does wage-labor, the work of the proletarian, produce any property for him? Not a bit. It produces capital, i.e., the property which exploits wage-labor, which cannot increase except when it begets fresh wage-labor. Property, in its current form, derives from the antagonism of capital and wage-labor. Let us examine both sides of this antagonism.

To be a capitalist is to have not only a purely personal, but a social status in production. Capital is a collective product, and only by the united action of many members, nay, in the last resort, only by the united action of all members of society, can it be set in motion.

Therefore, capital is not a personal but a social power.

When, therefore, capital is converted into common property, into the property of all members of society, personal property is not transformed into social property. Only the social character of the property is changed. It loses its class character.

We come now to wage-labor.

The average price of wage-labor is the minimum wage, i.e., the amount of the means of subsistence necessary to keep the worker functioning as a worker. What, therefore, the wage-laborer appropriates by means of his labor, suffices merely to prolong and reproduce his bare existence. We are by no means inclined to abolish this personal appropriation of the products of labor for the reproduction of human life, an appropriation that leaves no surplus wherewith to command the labor of others. We want to do away only with the miserable character of this appropriation, through which the laborer lives merely to increase capital and lives only in so far as the interest of the ruling class requires it.

In bourgeois society, living labor is simply a means to increase accumulated labor. In communist society, accumulated labor is simply a means to expand, to enrich, to promote the workers' way of life.

In bourgeois society, therefore, the past dominates the present; in communist society, the present dominates the past. In bourgeois society capital is independent and individualized, while the living individual is dependent and depersonalized.

And the elimination of these conditions is called by the bourgeois the death of individuality and freedom! And rightly so. It is undoubtedly a matter of making bourgeois individuality, independence, and freedom disappear.

By freedom, under the present bourgeois conditions of production, is understood free trade, free buying and selling.

But if dealing disappears, the free dealing disappears as well. The talk about free dealing, like the rest of our bourgeoisie's bold hyping of freedom, is generally meaningful only in contrast with restricted dealing, with the fettered traders of the Middle Ages, but not when opposed to the communistic elimination of dealing, of the bourgeois conditions of production, and of the bourgeoisie itself.

You are horrified by our intending to do away with private property. But in your existing society, private property is no longer an option for nine-tenths of the population; it exists precisely because for nine-tenths it does not exist. You charge us, therefore, with intending to do away with a form of property whose necessary precondition is that the immense majority of society should have no property at all.

In a word, you charge us with intending to put an end to your property. Precisely so; that is just what we intend.

From the moment when labor can no longer be converted into capital, money, or ground rent, in short into a social power that may be monopolized, i.e., from the moment when individual property can no longer be transformed into bourgeois property, into capital, from that moment, you claim, individuality is suspended.

You therefore confess that by the individual you mean none other than the bourgeois, the bourgeois owner of property. And this person must certainly be eliminated.

Communism deprives no one of the power to appropriate the products of society; it deprives one only of the power to subjugate others' labor by means of such appropriation.

It has been objected that with the abolition of private property all effort will cease and universal laziness take over.

According to this, bourgeois society ought long ago to have succumbed to idleness; for those of its number who work in it acquire nothing, and those who do not make acquisitions. This objection expresses in sum the tautology that there can no longer be any wage-labor when there is no longer any capital.

All objections urged against the communistic mode of producing and appropriating material products, have similarly been urged against the communistic modes of producing and appropriating intellectual products. Just as for the bourgeois the disappearance of class property is the disappearance of production itself, so the disappearance of class culture is to him identical with the disappearance of culture more generally.

The culture whose loss he laments, is, for the enormous majority, training to be machines.

But don't wrangle with us by judging our intended abolition of bourgeois property against your bourgeois notions of freedom, culture, law, etc. Your very ideas are born of the conditions of bourgeois production and property, just as your law is but the will of your class made into regulation for all, a will, whose content is determined by the material conditions of existence of your class.

The selfish notion you use to transform into eternal laws of nature and of reason the social forms springing from your current relations of production and property—historical relations that come and go in the course of production—this misconception you share with every ruling class that has preceded you. What you understand about ancient property, what you understand about feudal property, you are yet unwilling to grasp about bourgeois.

Abolition of the family! Even the most radical flare up at this infamous proposal of the Communists.

On what foundation is today's family, the bourgeois family, based? On capital, on private gain. Fully developed, it exists only among the bourgeoisie; but it finds its complement in the lack of family imposed on proletarians and in public prostitution.

The bourgeois family will vanish as a matter of course when this its complement vanishes, and both will vanish with the vanishing of capital.

Do you charge us with wanting to stop the exploitation of children by their parents? To this crime we plead guilty.

But, you say, we destroy the most revered relations when we replace home education by social.

And is not your education also social—determined by the social conditions under which you educate, by the intervention, direct or indirect, of society, by means of schools, etc.? The Communists have not invented the intervention of society in education; they do but alter its character, seizing education from the influence of a ruling class.

The bourgeois discourse of the family and education, about the revered bond between parent and child, becomes all the more disgusting, the more, by the action of big industry, all family ties among the proletarians are torn asunder and the children transformed into simple articles of commerce and instruments of labor.

But you Communists would introduce community of women, screams the whole bourgeoisie at us in chorus.

The bourgeois sees in his wife a mere instrument of production. He hears that the instruments of production are to be exploited in common, and, naturally, can come to no other conclusion than that the lot of being common to all will likewise fall to women.

He has not a clue that it is exactly a matter of erasing the status of women as mere instruments of production.

At any rate, nothing is more ridiculous than the ultra-righteous indignation shown by our bourgeois at the alleged community of women ratified by the Communists. The Communists have no need to introduce community of women; it has existed almost always.

Our bourgeois, not content with having the wives and daughters of their proletarians at their disposal, not to mention official prostitution, take considerable pleasure in seducing each others' wives.

Bourgeois marriage is in reality a communality system of wives. At most, the Communists can be reproached with desiring to replace a hypocritically concealed community of women with an openly approved one. Besides, it is self-evident that the abolition of the present relations of production must entail the passing of the community of women deriving from them, i.e., of official and unofficial prostitution.

The Communists are further reproached with desiring to abolish countries and nationality.

The workers have no fatherland. One cannot take from them what they have not got. In that the proletariat must first acquire political supremacy, must elevate itself to be the national class, must constitute itself the nation, it is itself yet national, though by no means in the bourgeois sense.

National differences and antagonisms between peoples are daily vanishing more and more with the development of the bourgeoisie, with freedom of trade, the world market, uniformity in industrial production and in the corresponding conditions of existence.

The supremacy of the proletariat will cause them to vanish still more. United action of the leading civilized countries at least, is one of the first conditions for the emancipation of the proletariat.

In proportion as the exploitation of one individual by another is prohibited, the exploitation of one nation by another will also be put an end to.

In proportion as the exploitation of one individual by another is prohibited, the exploitation of one nation by another will also cease.

The charges against communism made from religious, philosophical, and generally ideological standpoints do not deserve a detailed response.

Does it require deep insight to comprehend that people's ideas, views and conceptions—in a word, their consciousness—changes with their conditions of existence, their social relations and their life in society?

What does the history of ideas indicate other than that intellectual production changes along with material production? The ruling ideas of any age are always the ideas of the ruling class.

People speak of ideas that revolutionize an entire society; in this they do but express the fact that within the old society the elements of a new one have been developed, that the dissolution of the old ideas proceeds at the same pace as the dissolution of the old conditions of existence.

When the ancient world was in its last throes, the ancient religions were overcome by Christianity. When Christian ideas succumbed in the eighteenth century to Enlightenment ideas, feudal society engaged in its mortal struggle with the then revolutionary bourgeoisie. The ideas of freedom of conscience and religion conveyed merely the domination by free competition of the realm of conscience.

"But," it will be said, "religious, moral, philosophical, juridical ideas, etc. have indeed been modified in the course of historical development. Religion, morality, philosophy, politics, law, constantly survived this exchange."

"There are, besides, eternal truths, such as Freedom, Justice, etc., that are common to all states of society. Communism, however, abolishes eternal truths; it abolishes all religion and all morality instead of remodeling them afresh; it therefore contradicts all historical experience hitherto."

What does this accusation reduce itself to? The history of all society to date has taken the path of class antagonisms, antagonisms that assumed different forms in different epochs.

But whatever form they may have taken, the exploitation of one part of society by the other is a fact common to all preceding centuries. No wonder, then, that the social consciousness of all centuries, notwithstanding all the multiplicity and variety it displays, moves in certain common forms, forms of consciousness, which cannot completely vanish except with the total disappearance of class antagonisms.

The Communist revolution is the most radical rupture with traditional property relations; no wonder that in the course of its development there occurs the most radical rupture with traditional ideas.

But let us have done with the bourgeoisie's objections to communism.

We have already seen above that the first step in the worker-revolution is the raising of the proletariat to the ruling class, prevailing in democracy.

The proletariat will use its political supremacy to wrest all capital gradually from the bourgeoisie, to centralize all instruments of production in the hands of the State, i.e., of the proletariat organized as the ruling class; and to increase the body of productive forces as rapidly as possible.

Of course, in the beginning this cannot be achieved except by means of despotic inroads on the right of property, and on the relations of bourgeois production; by means of measures, therefore, which appear economically insufficient and untenable, but which, in the course of implementation outstrip themselves and are unavoidable as a means of transforming the whole mode of production.

These measures will of course be different in different countries.

Nevertheless, in the most advanced countries the following will be pretty generally applicable.

1. Expropriation of landed property and application of ground rent of land to state expenditures.
2. A heavy progressive tax.
3. Abolition of right of inheritance.
4. Confiscation of the property of all emigrants and rebels.
5. Centralization of credit in the hands of the state through a national bank with state capital and an exclusive monopoly.
6. Centralization of all modes of transportation in the hands of the state.
7. Expansion of national factories and instruments of production owned by the state; reclamation and improvement of estates according to a common plan.
8. Equal liability of all to labor. Establishment of industrial armies, especially for agriculture.
9. Combination of agriculture and industry, to effect the gradual undoing of the opposition between town and country.
10. Free public education for all children. Doing away with children's factory labor in its present form. Combination of education with material production, etc., etc.

When, in the course of development, class distinctions have disappeared, and all production is concentrated in the hands of associated individuals, public power loses its political character. Political power in the proper sense is the organized power of one class for the subjugation of another. When the proletariat during its struggle with the bourgeoisie is compelled to organize itself as a class, by means of a revolution makes itself the ruling class, and as the ruling class forcibly removes the old conditions of production, then, along with these conditions, it eradicates the conditions for the existence of class conflict and of classes generally, and thereby its own supremacy as a class.

In place of the old bourgeois society, with its classes and class antagonisms, there emerges an association, in which the free development of each is the condition for the free development of all.

3. *Socialist and Communist Literature*

1. Reactionary Socialism

A. FEUDAL SOCIALISM. Owing to their historical position, the aristocracies of France and England were called upon to write pamphlets against modern bourgeois society. In the July revolution of 1830 in France, and in the English reform movement, they once again succumbed to the hateful upstart. Thenceforth, a serious political contest was out of the question. A literary battle alone remained possible. But even in the realm of literature the old discourse of the restoration period had become impossible. In order to arouse sympathy, the aristocracy were obliged to lose sight apparently of their own interests, and to formulate their list of grievances against the bourgeoisie in the interest of the exploited working class alone. Thus they prepared for restitution by singing lampoons about their new master, and permitting themselves to whisper in his ear more or less ominous prophecies.

In this way arose feudal Socialism: half lamentation, half squib;[1] half echo of the past, half menace of the future; at times, by its bitter, witty and incisive criticism striking the bourgeoisie to the heart; always comic in effect through total inability to grasp the operation of modern history.

They brandished the proletarian alms-bag like a banner, in order to rally the people behind them. But every popular following saw on their hindquarters the old feudal coats of arms and broke ranks midst loud and irreverent laughter.[2]

A section of the French Legitimists[3] and Young England[4] exhibited this spectacle best.

In pointing out that their mode of exploitation was cast otherwise than that of the bourgeoisie, the feudalists simply forgot that they exploited under circumstances and conditions wholly different and now outmoded. In demonstrating that under their rule the modern proletariat never existed, they simply forget that the modern bourgeoisie was the necessary offspring of their social structure.

At any rate, they conceal the reactionary character of their criticism so little that their chief grievance against the bourgeoisie amounts to this, that under their regime a class is emerging which will explode the whole of the old social order.

What they reproach the bourgeoisie more for is producing not so much a proletariat as a revolutionary one.

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[1] *squib* Lampoon.

[2] *hindquarters … laughter* Marx borrows this image from Heinrich Heine's satirical poem, *A Winter's Tale* (1844).

[3] *French Legitimists* Royalists, agitating for restoration of the hereditary monarchy, in post-Revolutionary France.

[4] *Young England* Conservative political movement in Victorian England, in favor of an absolute monarchy and a strong established church.

In political practice, therefore, they join in all coercive measures against the working class; and in ordinary life, despite their inflated rhetoric, they stoop to pick up the golden apples and to barter truth, love, and honor for traffic in wool, sugar beets, and schnapps.

As the parson has ever gone hand in hand with the feudalist, so has clerical socialism with feudal socialism.

Nothing is easier than to give Christian asceticism a socialist coating. Has not Christianity come out strongly against private property, against marriage, against the State? Has it not preached in the place of these, charity and mendicancy, celibacy and mortification of the flesh, monastic life and the Church? Religious socialism is but the holy water with which the priest consecrates the aristocrat's ire.

B. PETTY-BOURGEOIS SOCIALISM. The feudal aristocracy was not the only class brought down by the bourgeoisie, or whose conditions of existence wasted away and perished in modern bourgeois society. The medieval burgesses and small peasantry were the precursors of the modern bourgeoisie. In countries which are little developed, industrially and commercially, these classes still vegetate beside the rising bourgeoisie.

In countries where modern civilization has developed, a new petty bourgeoisie has been formed which floats between proletariat and bourgeoisie while renewing itself constantly as a supplementary part of bourgeois society. The individual members of this class, however, are constantly hurled down into the proletariat by the action of competition; assuredly as modern industry develops, they even see the moment approaching when they completely disappear as an independent section of modern society, to be replaced in commerce, manufacturing, and agriculture by overseers and shopmen.

In countries like France, where the peasant class constitutes far more than half of the population, it was natural that writers who sided with the proletariat against the bourgeoisie should use, in their criticism of the bourgeois regime, the standard of the small peasant and petty bourgeois, and took up the cause of the working class from the standpoint of the petty bourgeoisie. Thus arose petty-bourgeois socialism. Sismondi[1] is the chief among its authors, in France as well as England.

This school of Socialism dissected with great acuteness the contradictions in modern relations of production. It laid bare the hypocritical alibis of economists. It proved, incontrovertibly, the disastrous effects of machinery and division of labor; the concentration of capital and landed property; overproduction, crises, the unavoidable ruination of the petty bourgeois and peasants, the misery of the proletariat, anarchy in production, the crying inequalities in the distribution of wealth, the industrial war of extermination between nations, the dissolution of old moral bonds, of old family connections, of old nationalities.

In its positive import, however, this socialism aspires either to restoring the old means of production and of exchange, and with them the old property relations, and the old society, or to forcibly reconfining modern means of production and of exchange within the framework of the old property relations which they exploded, had to explode. In either case, it is at the same time reactionary and utopian.[2]

Its last words are: corporate guilds for manufacture; patriarchal relations in agriculture.

In its fuller expression, this commitment ended with a hangover for the uncourageous.

C. GERMAN OR TRUE SOCIALISM. The Socialist and Communist literature of France, which originated under the pressure of a bourgeoisie in power, and that was the expression of the struggle against this power, was introduced into Germany at a time when the bourgeoisie had just begun its struggle against feudal absolutism.

German philosophers, semi-philosophers, and *beaux esprits*[3] seized eagerly on this literature, only forgetting that when these writings emigrated from France French social conditions did not emigrate along with them. In the German context, this French literature lost all immediate practical significance and assumed a purely literary aspect. It was sure to look like idle speculation about the True Society, about the realization of Human Nature. Thus, for the German philosophers of the eighteenth century, the demands of the first French Revolution were nothing more than the demands of Practical Reason[4] in general, the disclosure of the will of the revolutionary French bourgeoisie representing in their eyes the laws of pure Will, of Will as it was bound to be, of true human Will.

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[1] *Sismondi* Léonard Simonde de Sismondi (1773–1842), Swiss-born historian and economist; he criticized capitalism, but was too politically moderate for Marx.

[2] *utopian* With an impractical vision of ideal society.

[3] *beaux esprits* French: beautiful spirits. Witty cultured people.

[4] *Practical Reason* A reference, perhaps, to Immanuel Kant's *Critique of Practical Reason* (1788) and other works of moral philosophy.

The work of the German *literati*[1] consisted solely in bringing the new French ideas into harmony with their ancient philosophical conscience, or rather, in annexing the French ideas from their own philosophic point of view.

This annexation took place in the same way in which a foreign language is appropriated, in and as translation.

We are familiar with how the monks wrote silly lives of Catholic saints over the manuscripts on which the classical works of ancient heathendom had been transcribed. The German littérateurs[2] reversed this process with the profane French literature. They wrote their philosophical nonsense underneath the French original. For instance, underneath the French criticism of money relations they wrote "Alienation of Humanity," and underneath the French criticism of the bourgeois State they wrote "Abolition of the Category of the General," and so forth.

This insertion of their philosophical language underneath the French contributions they dubbed "Philosophy of Action," "True Socialism," "German Science of Socialism," "Philosophical Foundation of Socialism," and so on.

The French-socialist, communist literature was thus in effect emasculated. And since it ceased in German hands to express the struggle of one class against the other, the German felt conscious of overcoming French one-sidedness, of representing not true needs but the needs of Truth; not the interests of the proletariat but the interests of Human Nature, of Humanity in general who belong to no class in the real world but only in the misty firmament of philosophical fantasy.

This German Socialism, which took its awkward school work so seriously and solemnly, and pitched its value like a costermonger,[3] meanwhile gradually lost its pedantic innocence.

The struggle of the German, and especially the Prussian bourgeoisie against the feudalists and absolute monarchy—in sum, the liberal movement—became more earnest.

True Socialism was thus offered the longed-for opportunity to confront the political movement with the Socialist demands: the traditional anathemas against liberalism, against representative government, bourgeois competition, bourgeois freedom of the press, bourgeois legislation, bourgeois liberty and equality, and of preaching to the masses that they had nothing to gain and everything to lose from this bourgeois movement. German Socialism conveniently forgot that the French criticism, whose silly echo it was, presupposed the existence of modern bourgeois society with its corresponding material conditions of existence and political constitution adapted thereto, the very goals in dispute for the first time within the German struggle.

To the German absolute governments, with their claque of priests, teachers, cabbage-boors and bureaucrats, it served as a welcome scarecrow against the increasingly threatening bourgeoisie.

It represented a sweet completion after the bitter floggings and shootings to which these same governments treated German working-class uprisings.

While this True Socialism thus served the governments as a weapon for fighting the German bourgeoisie, it also represented directly a reactionary interest, the interest of middle-class German Philistines. In Germany the petty-bourgeois class, a relic of the sixteenth century, and since then constantly cropping up here again under various forms, is the real social basis of the existing state of things.

Its preservation is the preservation of the German status quo. From the industrial and political supremacy of the bourgeoisie it anticipates certain destruction: on the one hand, in the wake of capital concentration; on the other, from the rise of a revolutionary proletariat. True Socialism appeared to kill two birds with one stone. It spread like an epidemic.

The robe of speculative[4] cobwebs, embroidered with the rhetorical flowers of *beaux esprits*, drenched with the dew of erotic sentiment—this overwrought robe in which the German socialists wrapped some of their emaciated eternal truths, merely increased the sale of their wares to this public.

For its part, German socialism recognized more and more its vocation as the stilted stand-in for this middle-class Philistine.

It proclaimed the German nation to be the typical nation, and the German petty Philistine to be the typical man. To each of his deficiencies it gave a hidden, higher, socialistic spin so as to signify its opposite. It extracted the extreme conclusion from directly countering the brutally destructive tendency of communism while proclaiming its own ability to rise impartially above all class struggles. With very few exceptions, all the so-called socialist and communist publications that now circulate in Germany belong to the domain of this foul, enervating literature.

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[1] *literati* Intellectuals.

[2] *littérateurs* French: literary hack.

[3] *costermonger* Street-vender of fruits and vegetables.

[4] *speculative* Hegel used this term to describe his style of philosophy.

2. Conservative, or Bourgeois, Socialism

A part of the bourgeoisie wishes to redress social grievances in order to secure the continued existence of bourgeois society.

To this cohort belong economists, philanthropists, humanitarians, improvers of the condition of the working class, organizers of charity, preventers of cruelty to animals, temperance societies, hole-and-corner[1] reformers of every imaginable kind.

This form of Socialism has, moreover, been worked out into complete systems. We cite Proudhon's *Philosophie de la Misère*[2] as an example.

The socialistic bourgeois want the conditions of existence without the struggles and dangers necessarily resulting therefrom. They want the existing state of society minus its revolutionizing and disintegrating elements. They want the bourgeoisie without the proletariat. Bourgeois socialism conceives the world of its ascendancy to be naturally the best world; and bourgeois Socialism contrives from this consoling conception a semi- or complete system. When it calls on the proletariat to implement such a system in order to enter the New Jerusalem, it is basically asking only that the proletariat remain within existing society while rejecting its odious ideas about it.

A second, less systematic and more practical form of socialism sought to make the working class recoil from every revolutionary movement by showing that neither this nor that political change but only a change in the material conditions of existence, in economical relations, could be of advantage to them. By change in the material conditions of existence, however, this socialism by no means understands the eradication of the bourgeois relations of production, which is achievable only by way of revolution, but rather administrative improvements that advance on the basis of these relations of production, that therefore change not at all the relation between capital and wage-labor, but in the best case for the bourgeoisie lessen the cost of its rule and simplify the ways in which it is administered.

Bourgeois socialism finds fit expression only when it becomes a mere figure of speech.

Free trade!—in the interests of the working class. Protective duties!—in the interests of the working class. Prison cells now!—in the interests of the working class. This is the last, the only earnestly intended word of bourgeois Socialism.

Its socialism resides precisely in the proposition that the bourgeois are bourgeois—in the interests of the working class.

3. Critical-Utopian Socialism and Communism

We do not here refer to that literature which, in every great modern revolution, has always given voice to the demands of the proletariat (writings of Babœuf[3] and others).

The first direct attempts of the proletariat, in a time of general excitement, when feudal society was being overthrown, necessarily foundered because of the undeveloped state of the proletariat itself, as well as the absence of the material conditions for its emancipation, conditions unproducible in advance of the bourgeois era. The revolutionary literature that accompanied these first movements of the proletariat is unavoidably reactionary in content. It teaches a general asceticism and rude leveling.

The Socialist and Communist systems proper, the systems of Saint-Simon,[4] Fourier,[5] Owen[6] and others, emerge in the early undeveloped period of the struggle between proletariat and bourgeoisie we described above.

The creators of these systems admittedly see the class antagonisms, as well as the action of the fragmenting elements in the dominant society itself. But they witness no historical self-determination on the part of the proletariat, no political movement particular to it.

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[1] *hole-and-corner* Out-of-the-way, secretive.

[2] *Proudhon's Philosophie de la Misère* Pierre Joseph Proudhon (1809–65) published in 1846 *Système des Contradictions Economiques ou Philosophie de la Misère* [*The System of Economic Conditions; or the Philosophy of Poverty*]. Marx replied in 1847 with *Misère de la Philosophie* [*The Poverty of Philosophy*].

[3] *Babœuf* François Noël ["Gracchus"] Babœuf (1760–97); Marx approved of his defense of the ideals of the French Revolution.

[4] *Saint-Simon* Count Claude Saint-Simon (1760–1825), influential nineteenth-century socialist writer.

[5] *Fourier* Charles Fourier (1772–1837) was a French writer on social reform, socialist association, and model communities (phalansteries).

[6] *Owen* Robert Owen (1771–1858) was a leading British advocate and organizer of co-operatives and model industrial villages.

Since the development of class antagonism proceeds in step with the development of industry, they do not as yet encounter the material conditions for the emancipation of the proletariat, and therefore seek after a social science, after new social laws, in order to bring about these conditions.

Social action has to yield to their personal inventive action; historical conditions of emancipation to those born of fantasy; and the gradual class-formation of the proletariat to a privately contrived shaping of society. Future world-history resolves itself for them into propaganda for, and practical implementation of, their social plans.

In their planning they are conscious of capturing mainly the interests of the working class as the class that suffers most. Only from this perspective of being the most suffering class does the proletariat exist for them.

The undeveloped state of the class struggle, as well as their own situation in life, brings them to believe themselves far superior to the class antagonism referred to above. They want to improve the life situation of every member of society, even those best off. Hence, they habitually appeal to the whole of society without distinction; nay, preferably to the ruling class. Assuredly, to see their system is to understand it as the best possible plan of the best possible society.

They consequently reject all political, and especially all revolutionary, action; they wish to attain their objective by peaceful means, and endeavor, by minor experiments that fail as a matter of course, by the force of example to clear the path for the new social gospel.

Such fantasizing about the society of the future, at a time when the proletariat is still in a very undeveloped state and can but fancifully conceive of its own position, corresponds to its earliest, fully prescient impulses towards a general reconstruction of society.

But these socialist and communist publications contain critical elements too. They attack all the foundations of existing society. Hence they have furnished most valuable materials for the enlightenment of the workers. Their positive proposals for the society of the future—for example, the abolition of the distinction between town and country, of the family, of private accumulation, of wage labor, the proclamation of social harmony, the conversion of the state into a mere superintendence of production—all these proposals of theirs signify solely the disappearance of class antagonism which is only just forming and which they register only in its earliest, inchoate[1] forms. These proposals, therefore, retain a purely utopian significance.

The meaning of critical utopian socialism and communism bears an inverse relation to historical development. In proportion as the class struggle unfolds and takes definite shape, this imaginary elevation above it, these fantastic attacks upon it, lose all practical value, all theoretical justification. Therefore, although the originators of these systems were in many respects revolutionary, their disciples form reactionary sects all the time. They hold fast to the old views of their masters as opposed to the further historical development of the proletariat. They therefore endeavor consistently to deaden the class struggle and to resolve conflicts. They still dream of experimental realization of their social utopias, of founding separate phalansteries, of establishing home colonies,[2] of setting up a little Icaria[3]—duodecimo editions[4] of the New Jerusalem;[5] and to construct all these castles in the air, they are compelled to appeal to the hearts and money-bags of the bourgeois. By degrees they sink into the category of the aforementioned reactionary or conservative socialists, differing from them only by more systematic pedantry, by fanatical superstitious belief in the miraculous effects of their social science.

They therefore violently oppose all political action on the part of the workers, such action as could result only from blind unbelief in the new Gospel.

The Owenites in England and the Fourierists in France opposed the Chartists[6] and the *Réformistes*[7] respectively.

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[1] *inchoate* Just beginning, as yet imperfectly developed.

[2] *home colonies* Cooperative communities established by Robert Owen in the early nineteenth century.

[3] *Icaria* A fictitious ideal society, subject of a book by Étienne Cabet (1788–1856), French philosopher and utopian socialist; the "Icarian communities" he established in the US eventually failed.

[4] *duodecimo editions* Literally, books with a very small page size; figuratively, miniature versions.

[5] *New Jerusalem* A literal or figurative ideal city.

[6] *Chartists* Chartism was a popular reformist movement that lasted from 1837 to 1848: among its demands (outlined in a "People's Charter" of 1837) were universal male suffrage, equal electoral districts, abolition of the property qualification for running for Parliament, and annual parliaments.

[7] *Réformistes* A political party grouped around the Paris newspaper, *La Réforme*, which included radical opponents of the July monarchy, republican democrats, and petty-bourgeois socialists.

4. Position of the Communists in Relation to the Various Existing Opposition Parties

From Section 2 the relation of the Communists to the already constituted workers parties is plain, and accordingly their relation to the Chartists in England and the Agrarian Reformers in North America.[1]

They battle for the attainment of the immediate aims and interests of the working class; but in the current movement they at the same time represent the future of the movement. In France the Communists ally themselves with the Social-Democrats, against the conservative and radical bourgeoisie, without relinquishing the right to critique the phrases and illusions born of the revolutionary tradition.

In Switzerland they support the Radicals, without losing sight of the fact that this party consists of antagonistic elements, partly of democratic socialists in the French sense, partly of radical bourgeois.

Among Poles the Communists support the party that insists on an agrarian revolution as essential to national emancipation, the same party that brought about the Kraków insurrection[2] in 1846.

In Germany, as soon as the bourgeoisie acts in a revolutionary fashion the Communist party battles along with them against the absolute monarchy, feudal land tenure, and the petty bourgeoisie.

But they do not for an instant cease to nourish among the workers the clearest possible awareness of the hostile antagonism of bourgeoisie and proletariat, so that the German workers can instantly appropriate and adapt the social and political features which the bourgeoisie must introduce along with its dominance as so many weapons against the bourgeoisie, so that after the overthrow of the reactionary classes in Germany the struggle against the bourgeoisie itself can at once commence.

It is to Germany that the Communists are most attentive because Germany stands on the eve of a bourgeois revolution, and, because it is undertaking this radical change amid the more advanced conditions of European civilization generally and with a much more developed proletariat than England's in the seventeenth and France's in the eighteenth century, Germany's bourgeois revolution will thus be only the immediate forerunner of a proletarian revolution.

In a word, the Communists everywhere support every revolutionary movement against the existing social and political order of things.

In all these movements they foreground the property question as the fundamental question for the movement, no matter its degree of development.

Finally, the communists labor everywhere for the solidarity and agreement of the democratic parties of all countries.

The Communists disdain to conceal their views and aims. They openly declare that their objectives can be attained only by the forcible overthrow of all existing social orders. Let the ruling classes tremble at a communist revolution. In it proletarians have nothing to lose but their chains.

Proletarians of all lands unite![3]

◆ ◆ ◆ ◆ ◆

Critique of the Gotha Program[4] (1875)

I

> 1. "Labor is the source of wealth and all culture, and since useful labor is possible only in society and through society, the proceeds of labor belong undiminished with equal right to all members of society."

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[1] *Agrarian Reformers … America* The National Reform Association was founded in the US in 1844 to campaign for the free settlement of the landless on public lands, a moratorium on the seizure of family farms for non-payment of debt, and the establishment of a 160 acre ceiling on land ownership to ensure that there would be enough small-holdings to go round.

[2] *Kraków insurrection* A nationalist, republican uprising in southern Poland against the Russians, Prussians, and Austrians who had jointly occupied it since the collapse of Napoleon's empire in 1815: the rebellion was crushed, and Kraków was incorporated into the Austrian empire.

[3] *Proletarians of all lands unite!* In German, *Proletarier aller Länder, vereinigt euch!* This famous conclusion has also been translated into English as "Workers of the world, unite! You have nothing to lose but your chains."

[4] *Gotha Program* Common program for political change agreed on by the two branches of the German socialist movement at meetings held in the town of Gotha in central Germany in May

First part of the paragraph: "Labor is the source of all wealth and all culture."

Labor is not the source of all wealth. Nature is just as much the source of use values[1] (and it is surely of such that material wealth consists!) as labor, which itself is only the manifestation of a force of nature, human labor power. The above phrase is to be found in all children's primers and is correct insofar as it is implied that labor is performed with the appurtenant subjects and instruments.[2] But a socialist program cannot allow such bourgeois phrases to pass over in silence the conditions that alone give them meaning. And insofar as man from the beginning behaves toward nature, the primary source of all instruments and subjects of labor, as an owner, treats her as belonging to him, his labor becomes the source of use values, therefore also of wealth. The bourgeois have very good grounds for falsely ascribing supernatural creative power to labor; since precisely from the fact that labor depends on nature it follows that the man who possesses no other property than his labor power must, in all conditions of society and culture, be the slave of other men who have made themselves the owners of the material conditions of labor. He can only work with their permission, hence live only with their permission.

Let us now leave the sentence as it stands, or rather limps. What could one have expected in conclusion? Obviously this:

"Since labor is the source of all wealth, no one in society can appropriate wealth except as the product of labor. Therefore, if he himself does not work, he lives by the labor of others and also acquires his culture at the expense of the labor of others."

Instead of this, by means of the verbal rivet "and since," a proposition is added in order to draw a conclusion from this and not from the first one.

Second part of the paragraph: "Useful labor is possible only in society and through society."

According to the first proposition, labor was the source of all wealth and all culture; therefore no society is possible without labor. Now we learn, conversely, that no "useful" labor is possible without society.

One could just as well have said that only in society can useless and even socially harmful labor become a branch of gainful occupation, that only in society can one live by being idle, etc., etc.—in short, one could just as well have copied the whole of Rousseau.

And what is "useful" labor? Surely only labor which produces the intended useful result. A savage—and man was a savage after he had ceased to be an ape—who kills an animal with a stone, who collects fruit, etc., performs "useful" labor.

Thirdly, the conclusion: "Useful labor is possible only in society and through society, the proceeds of labor belong undiminished with equal right to all members of society."

A fine conclusion! If useful labor is possible only in society and through society, the proceeds of labor belong to society—and only so much therefrom accrues to the individual worker as is not required to maintain the "condition" of labor, society.

In fact, this proposition has at all times been made use of by the champions of the state of society prevailing at any given time. First comes the claims of the government and everything that sticks to it, since it is the social organ for the maintenance of the social order; then comes the claims of the various kinds of private property, for the various kinds of private property are the foundations of society, etc. One sees that such hollow phrases are the foundations of society, etc. One sees that such hollow phrases can be twisted and turned as desired.

The first and second parts of the paragraph have some intelligible connection only in the following wording:

"Labor becomes the source of wealth and culture only as social labor," or, what is the same thing, "in and through society."

This proposition is incontestably correct, for although isolated labor (its material conditions presupposed) can create use value, it can create neither wealth nor culture.

But equally incontestable is this other proposition:

"In proportion as labor develops socially, and becomes thereby a source of wealth and culture, poverty and destitution develop among the workers, and wealth and culture among the nonworkers."

1875. In Marx's view the more radical socialists (led by his protégé Wilhelm Liebknecht) had ceded too much in the agreement to the moderate socialist faction (led by Ferdinand Lassalle).

[1] *use values* The "use value" of something is a measure of how much the consumer gets from its use. This is contrasted with the "exchange value" of something—how much of something else it can bring in return when exchanged on the market. These are distinct: often, one is far out of line with the other.

[2] *appurtenant subjects and instruments* Accessory people and tools.

This is the law of all history hitherto. What, therefore, had to be done here, instead of setting down general phrases about "labor" and "society," was to prove concretely how in present capitalist society the material, etc., conditions have at last been created which enable and compel the workers to lift this social curse.

In fact, however, the whole paragraph, bungled in style and content, is only there in order to inscribe the Lassallean catchword of the "undiminished proceeds of labor" as a slogan at the top of the party banner. I shall return later to the "proceeds of labor," "equal right," etc., since the same thing recurs in a somewhat different form further on.

> 2. "In present-day society, the instruments of labor are the monopoly of the capitalist class; the resulting dependence of the working class is the cause of misery and servitude in all forms."

This sentence, borrowed from the Rules of the International,[1] is incorrect in this "improved" edition.

In present-day society, the instruments of labor are the monopoly of the landowners (the monopoly of property in land is even the basis of the monopoly of capital) and the capitalists. In the passage in question, the Rules of the International do not mention either one or the other class of monopolists. They speak of the "monopolizer of the means of labor, that is, the sources of life." The addition, "sources of life," makes it sufficiently clear that land is included in the instruments of labor.

The correction was introduced because Lassalle, for reasons now generally known, attacked only the capitalist class and not the landowners. In England, the capitalist class is usually not even the owner of the land on which his factory stands.

> 3. "The emancipation of labor demands the promotion of the instruments of labor to the common property of society and the co-operative regulation of the total labor, with a fair distribution of the proceeds of labor.

"Promotion of the instruments of labor to the common property" ought obviously to read their "conversion into the common property"; but this is only passing.

What are the "proceeds of labor"? The product of labor, or its value? And in the latter case, is it the total value of the product, or only that part of the value which labor has newly added to the value of the means of production consumed?

"Proceeds of labor" is a loose notion which Lassalle has put in the place of definite economic conceptions.

What is "a fair distribution"?

Do not the bourgeois assert that the present-day distribution is "fair"? And is it not, in fact, the only "fair" distribution on the basis of the present-day mode of production? Are economic relations regulated by legal conceptions, or do not, on the contrary, legal relations arise out of economic ones? Have not also the socialist sectarians the most varied notions about "fair" distribution?

To understand what is implied in this connection by the phrase "fair distribution," we must take the first paragraph and this one together. The latter presupposes a society wherein the instruments of labor are common property and the total labor is co-operatively regulated, and from the first paragraph we learn that "the proceeds of labor belong undiminished with equal right to all members of society."

"To all members of society"? To those who do not work as well? What remains then of the "undiminished" proceeds of labor? Only to those members of society who work? What remains then of the "equal right" of all members of society?

But "all members of society" and "equal right" are obviously mere phrases. The kernel consists in this, that in this communist society every worker must receive the "undiminished" Lassallean "proceeds of labor."

Let us take, first of all, the words "proceeds of labor" in the sense of the product of labor; then the co-operative proceeds of labor are the total social product.

From this must now be deducted: First, cover for replacement of the means of production used up. Second, additional portion for expansion of production. Third, reserve or insurance funds to provide against accidents, dislocations caused by natural calamities, etc.

These deductions from the "undiminished" proceeds of labor are an economic necessity, and their magnitude is to be determined according to available means and forces, and partly by computation of probabilities, but they are in no way calculable by equity.[2]

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[1] *Rules of the International* "Rules of the International Workingmen's Association," London, 1864. This association, known as the IWA or the First International, aimed to unite all left-wing socialist and trade-union associations.

[2] *equity* Considerations of fairness.

There remains the other part of the total product, intended to serve as means of consumption.

Before this is divided among the individuals, there has to be deducted again, from it: First, the general costs of administration not belonging to production. This part will, from the outset, be very considerably restricted in comparison with present-day society, and it diminishes in proportion as the new society develops. Second, that which is intended for the common satisfaction of needs, such as schools, health services, etc. From the outset, this part grows considerably in comparison with present-day society, and it grows in proportion as the new society develops. Third, funds for those unable to work, etc., in short, for what is included under so-called official poor relief today.

Only now do we come to the "distribution" which the program, under Lassallean influence, alone has in view in its narrow fashion—namely, to that part of the means of consumption which is divided among the individual producers of the co-operative society.

The "undiminished" proceeds of labor have already unnoticeably become converted into the "diminished" proceeds, although what the producer is deprived of in his capacity as a private individual benefits him directly or indirectly in his capacity as a member of society.

Just as the phrase of the "undiminished" proceeds of labor has disappeared, so now does the phrase of the "proceeds of labor" disappear altogether.

Within the co-operative society based on common ownership of the means of production, the producers do not exchange their products; just as little does the labor employed on the products appear here as the value of these products, as a material quality possessed by them, since now, in contrast to capitalist society, individual labor no longer exists in an indirect fashion but directly as a component part of total labor. The phrase "proceeds of labor," objectionable also today on account of its ambiguity, thus loses all meaning.

What we have to deal with here is a communist society, not as it has developed on its own foundations, but, on the contrary, just as it emerges from capitalist society; which is thus in every respect, economically, morally, and intellectually, still stamped with the birthmarks of the old society from whose womb it emerges. Accordingly, the individual producer receives back from society—after the deductions have been made—exactly what he gives to it. What he has given to it is his individual quantum of labor. For example, the social working day consists of the sum of the individual hours of work; the individual labor time of the individual producer is the part of the social working day contributed by him, his share in it. He receives a certificate from society that he has furnished such-and-such an amount of labor (after deducting his labor for the common funds); and with this certificate, he draws from the social stock of means of consumption as much as the same amount of labor cost. The same amount of labor which he has given to society in one form, he receives back in another.

Here, obviously, the same principle prevails as that which regulates the exchange of commodities, as far as this is exchange of equal values. Content and form are changed, because under the altered circumstances no one can give anything except his labor, and because, on the other hand, nothing can pass to the ownership of individuals, except individual means of consumption. But as far as the distribution of the latter among the individual producers is concerned, the same principle prevails as in the exchange of commodity equivalents: a given amount of labor in one form is exchanged for an equal amount of labor in another form.

Hence, equal right here is still in principle—bourgeois right, although principle and practice are no longer at loggerheads, while the exchange of equivalents in commodity exchange exists only on the average and not in the individual case.

In spite of this advance, this equal right is still constantly stigmatized by a bourgeois limitation. The right of the producers is proportional to the labor they supply; the equality consists in the fact that measurement is made with an equal standard, labor.

But one man is superior to another physically, or mentally, and supplies more labor in the same time, or can labor for a longer time; and labor, to serve as a measure, must be defined by its duration or intensity, otherwise it ceases to be a standard of measurement. This equal right is an unequal right for unequal labor. It recognizes no class differences, because everyone is only a worker like everyone else; but it tacitly recognizes unequal individual endowment, and thus productive capacity, as a natural privilege. It is, therefore, a right of inequality, in its content, like every right. Right, by its very nature, can consist only in the application of an equal standard; but unequal individuals (and they would not be different individuals if they were not unequal) are measurable only by an equal standard insofar as they are brought under an equal point of view, are taken from one definite side only—for instance, in the present case, are regarded only as workers and nothing more is seen in them, everything else being ignored. Further, one worker is married, another is not; one has more children than another, and so on and so forth. Thus, with an equal performance of labor, and hence an equal in the social consumption fund, one will in fact receive more than another, one will be richer than another, and so on. To avoid all these defects, right, instead of being equal, would have to be unequal.

But these defects are inevitable in the first phase of communist society as it is when it has just emerged after prolonged birth pangs from capitalist society. Right can never be higher than the economic structure of society and its cultural development conditioned thereby.

In a higher phase of communist society, after the enslaving subordination of the individual to the division of labor, and therewith also the antithesis between mental and physical labor, has vanished; after labor has become not only a means of life but life's prime want; after the productive forces have also increased with the all-around development of the individual, and all the springs of co-operative wealth flow more abundantly—only then can the narrow horizon of bourgeois right be crossed in its entirety and society inscribe on its banners: From each according to his ability, to each according to his needs!

I have dealt more at length with the "undiminished" proceeds of labor, on the one hand, and with "equal right" and "fair distribution," on the other, in order to show what a crime it is to attempt, on the one hand, to force on our Party again, as dogmas, ideas which in a certain period had some meaning but have now become obsolete verbal rubbish, while again perverting, on the other, the realistic outlook, which it cost so much effort to instill into the Party but which has now taken root in it, by means of ideological nonsense about right and other trash so common among the democrats and French socialists.

Quite apart from the analysis so far given, it was in general a mistake to make a fuss about so-called distribution and put the principal stress on it.

Any distribution whatever of the means of consumption is only a consequence of the distribution of the conditions of production themselves. The latter distribution, however, is a feature of the mode of production itself. The capitalist mode of production, for example, rests on the fact that the material conditions of production are in the hands of nonworkers in the form of property in capital and land, while the masses are only owners of the personal condition of production, of labor power. If the elements of production are so distributed, then the present-day distribution of the means of consumption results automatically. If the material conditions of production are the co-operative property of the workers themselves, then there likewise results a distribution of the means of consumption different from the present one. Vulgar socialism (and from it in turn a section of the democrats) has taken over from the bourgeois economists the consideration and treatment of distribution as independent of the mode of production and hence the presentation of socialism as turning principally on distribution. After the real relation has long been made clear, why retrogress[1] again?

> 4. "The emancipation of labor must be the work of the working class, relative to which all other classes are only one reactionary mass."

The first strophe[2] is taken from the introductory words of the Rules of the International, but "improved." There it is said: "The emancipation of the working class must be the act of the workers themselves"; here, on the contrary, the "working class" has to emancipate—what? "Labor." Let him understand who can.

In compensation, the antistrophe,[3] on the other hand, is a Lassallean quotation of the first water:[4] "relative to which" (the working class) "all other classes are only one reactionary mass."

In the *Communist Manifesto* it is said:

"Of all the classes that stand face-to-face with the bourgeoisie today, the proletariat alone is a really revolutionary class. The other classes decay and finally disappear in the face of modern industry; the proletariat is its special and essential product."

The bourgeoisie is here conceived as a revolutionary class—as the bearer of large-scale industry—relative to the feudal lords and the lower middle class, who desire to maintain all social positions that are the creation of obsolete modes of production. Thus, they do not form together with the bourgeoisie "only one reactionary mass."

On the other hand, the proletariat is revolutionary relative to the bourgeoisie because, having itself grown up on the basis of large-scale industry, it strives to strip off from production the capitalist character that the bourgeoisie seeks to perpetuate. But the Manifesto adds that the "lower middle class" is becoming revolutionary "in view of [its] impending transfer to the proletariat."

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[1] *retrogress* Go backwards.

[2] *strophe* Part of the traditional song and dance of the chorus in ancient Greek drama.

[3] *antistrophe* Part following the strophe.

[4] *of the first water* Of the highest quality.

From this point of view, therefore, it is again nonsense to say that it, together with the bourgeoisie, and with the feudal lords into the bargain, "form only one reactionary mass" relative to the working class.

Has one proclaimed to the artisan, small manufacturers, etc., and peasants during the last elections: Relative to us, you, together with the bourgeoisie and feudal lords, form one reactionary mass?

Lassalle knew the Communist Manifesto by heart, as his faithful followers know the gospels written by him. If, therefore, he has falsified it so grossly, this has occurred only to put a good color on his alliance with absolutist and feudal opponents against the bourgeoisie.

In the above paragraph, moreover, his oracular saying is dragged in by main force without any connection with the botched quotation from the Rules of the International. Thus, it is simply an impertinence, and indeed not at all displeasing to Herr Bismarck,[1] one of those cheap pieces of insolence in which the Marat of Berlin[2] deals.

> 5. "The working class strives for its emancipation first of all within the framework of the present-day national states, conscious that the necessary result of its efforts, which are common to the workers of all civilized countries, will be the international brotherhood of peoples."

Lassalle, in opposition to the *Communist Manifesto* and to all earlier socialism, conceived the workers' movement from the narrowest national standpoint. He is being followed in this—and that after the work of the International!

It is altogether self-evident that, to be able to fight at all, the working class must organize itself at home as a class and that its own country is the immediate arena of its struggle—insofar as its class struggle is national, not in substance, but, as the *Communist Manifesto* says, "in form." But the "framework of the present-day national state," for instance, the German Empire, is itself, in its turn, economically "within the framework" of the world market, politically "within the framework" of the system of states. Every businessman knows that German trade is at the same time foreign trade, and the greatness of Herr Bismarck consists, to be sure, precisely in his pursuing a kind of international policy.

And to what does the German Workers' party reduce its internationalism? To the consciousness that the result of its efforts will be "the international brotherhood of peoples"—a phrase borrowed from the bourgeois League of Peace and Freedom,[3] which is intended to pass as equivalent to the international brotherhood of working classes in the joint struggle against the ruling classes and their governments. Not a word, therefore, about the international functions of the German working class! And it is thus that it is to challenge its own bourgeoisie—which is already linked up in brotherhood against it with the bourgeois of all other countries—and Herr Bismarck's international policy of conspiracy.

In fact, the internationalism of the program stands even infinitely below that of the Free Trade party.[4] The latter also asserts that the result of its efforts will be "the international brotherhood of peoples." But it also does something to make trade international and by no means contents itself with the consciousness that all people are carrying on trade at home.

The international activity of the working classes does not in any way depend on the existence of the International Working Men's Association. This was only the first attempt to create a central organ for the activity; an attempt which was a lasting success on account of the impulse which it gave but which was no longer realizable in its historical form after the fall of the Paris Commune.[5]

Bismarck's *Norddeutsche*[6] was absolutely right when it announced, to the satisfaction of its master, that the German Workers' party had sworn off internationalism in the new program.

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[1] *Herr Bismarck* Otto von Bismarck (1815–98), Chancellor of the German Empire.

[2] *the Marat of Berlin* By this phrase, Marx refers to Wilhelm Hasselmann, editor of the *Neuer Social-Democrat*, a journal associated with the General German Workers' Association (*Allgemeiner Deutscher Arbeiterverein*, ADAV), a non-revolutionary reformist socialist group founded by Lassalle. Jean-Paul Marat (1743–93), an activist in the French Revolution, was a ferocious radical who played an instrumental role in the Reign of Terror.

[3] *League of Peace and Freedom* Pacifist organization founded in Switzerland in 1867. It urged formation of a United States of Europe as a way to prevent wars.

[4] *Free Trade party* A German movement advocating free trade as a way of increasing economic productivity, and thus of helping the poor.

[5] *Paris Commune* Socialist government that ruled Paris for two months in 1871.

[6] *Norddeutsche* Berlin newspaper (*Norddeutsche Allgemeine Zeitung*), the official organ of Bismarck's government at the time.

II

> "Starting from these basic principles, the German workers' party strives by all legal means for the free state—and—socialist society: that abolition of the wage system together with the iron law of wages—and—exploitation in every form; the elimination of all social and political inequality."

I shall return to the "free" state later.

So, in future, the German Workers' party has got to believe in Lassalle's "iron law of wages"! That this may not be lost, the nonsense is perpetrated of speaking of the "abolition of the wage system" (it should read: system of wage labor), "together with the iron law of wages." If I abolish wage labor, then naturally I abolish its laws also, whether they are of "iron" or sponge. But Lassalle's attack on wage labor turns almost solely on this so-called law. In order, therefore, to prove that Lassalle's sect has conquered, the "wage system" must be abolished "together with the iron law of wages" and not without it.

It is well known that nothing of the "iron law of wages" is Lassalle's except the word "iron" borrowed from Göethe's "great, eternal iron laws."[1] The word "iron" is a label by which the true believers recognize one another. But if I take the law with Lassalle's stamp on it, and consequently in his sense, then I must also take it with his substantiation[2] for it. And what is that? As Lange[3] already showed, shortly after Lassalle's death, it is the Malthusian theory of population[4] (preached by Lange himself). But if this theory is correct, then again I cannot abolish the law even if I abolish wage labor a hundred times over, because the law then governs not only the system of wage labor but every social system. Basing themselves directly on this, the economists have been proving for 50 years and more that socialism cannot abolish poverty, which has its basis in nature, but can only make it general, distribute it simultaneously over the whole surface of society!

But all this is not the main thing. Quite apart from the false Lassallean formulation of the law, the truly outrageous retrogression[5] consists in the following:

Since Lassalle's death, there has asserted itself in our party the scientific understanding that wages are not what they appear to be—namely, the value, or price, of labor—but only a masked form for the value, or price, of labor power. Thereby, the whole bourgeois conception of wages hitherto, as well as all the criticism hitherto directed against this conception, was thrown overboard once and for all. It was made clear that the wage worker has permission to work for his own subsistence—that is, to live, only insofar as he works for a certain time gratis[6] for the capitalist (and hence also for the latter's co-consumers of surplus value[7]); that the whole capitalist system of production turns on the increase of this gratis labor by extending the working day, or by developing the productivity—that is, increasing the intensity or labor power, etc.; that, consequently, the system of wage labor is a system of slavery, and indeed of a slavery which becomes more severe in proportion as the social productive forces of labor develop, whether the worker receives better or worse payment. And after this understanding has gained more and more ground in our party, some return to Lassalle's dogma although they must have known that Lassalle did not know what wages were, but, following in the wake of the bourgeois economists, took the appearance for the essence of the matter.

It is as if, among slaves who have at last got behind the secret of slavery and broken out in rebellion, a slave still in thrall to[8] obsolete notions were to inscribe on the program of the rebellion: Slavery must be abolished because the feeding of slaves in the system of slavery cannot exceed a certain low maximum!

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[1] *Göethe's "great, eternal iron laws"* Principles set out by German poet, novelist, scientist, and statesman Johann Wolfgang von Goethe in "Das Göttlich" ("The Divine").

[2] *substantiation* Evidence.

[3] *Lange* Friedrich Albert Lange (1828–75) German philosopher and journalist, active in the German labor movement and in the development of social democratic thought.

[4] *the Malthusian theory of population* English economist Thomas Malthus (1766–1834) argued that population would increase at a geometric rate but the food supply at an arithmetic rate; this would lead to poverty and starvation which could be counteracted only by disease, famine, war, or moral restraint.

[5] *retrogression* Backward movement.

[6] *gratis* For free.

[7] *surplus value* Marx's term for the value of unpaid work for extra hours of labor appropriated by the capitalist. Marx held that, in the capitalist system, a worker's labor would be worth the subsistence wage. He explained profit by noting that while the capitalist would pay workers the subsistence wage, they would work hours beyond what is needed to earn this wage. The capitalist would then pass along the "true value" of the products to consumers, making a profit at the expense of the workers.

[8] *in thrall to* Dominated by.

Does not the mere fact that the representatives of our party were capable of perpetrating such a monstrous attack on the understanding that has spread among the mass of our party prove, by itself, with what criminal levity and with what lack of conscience they set to work in drawing up this compromise program!

Instead of the indefinite concluding phrase of the paragraph, "the elimination of all social and political inequality," it ought to have been said that with the abolition of class distinctions all social and political inequality arising from them would disappear of itself.

III

> "The German workers' party, in order to *pave the way to the solution of the social question,* demands the establishment of producers' co-operative societies *with state aid under the democratic control of the toiling people.* The producers' co-operative societies *are* to *be called into being* for industry and agriculture on such a scale *that the socialist organization of the total labor will arise from them.*"

After the Lassallean "iron law of wages,"[1] the physic of the prophet.[2] The way to it is "paved" in worthy fashion. In place of the existing class struggle appears a newspaper scribbler's phrase: "the social *question,*" to the "*solution*" of which one "paves the way." Instead of arising from the revolutionary process of transformation of society, the "socialist organization of the total labor" "arises" from: the "state aid" that the state gives to the producers' co-operative societies and which the *state,* not the worker, "*calls into being.*" It is worthy of Lassalle's imagination that with state loans one can build a new society just as well as a new railway!

From the remnants of a sense of shame, "state aid" has been put—under the democratic control of the "toiling people."

In the first place, the majority of the "toiling people" in Germany consists of peasants, and not of proletarians.

Secondly, "democratic" means in German "*volksherrschaftlich.*"[3] But what does "control by the rule of the people of the toiling people"[4] mean? And particularly in the case of a toiling people which, through these demands that it puts to the state, expresses its full consciousness that it neither rules nor is ripe for ruling!

It would be superfluous to deal here with the criticism of the recipe prescribed by Buchez in the reign of Louis Philippe in *opposition* to the French Socialists and accepted by the reactionary workers of the *Atelier.*[5] The chief offence does not lie in having inscribed this specific nostrum[6] in the program, but in taking, in general, a retrograde step from the standpoint of a class movement to that of a sectarian[7] movement.

That the workers desire to establish the conditions for co-operative production on a social scale, and first of all on a national scale in their own country, only means that they are working to revolutionize the present conditions of production, and it has nothing in common with the foundation of co-operative societies with state aid. But as far as the present co-operative societies are concerned, they are of value *only* in so far as they are the independent creations of the workers and not protégés either of the government or of the bourgeois.

IV

I come now to the democratic section.

A. "The Free Basis of the State"

First of all, according to II, the German workers' party strives for "the free state."

Free state—what is this?

It is by no means the aim of the workers, who have got rid of the narrow mentality of humble subjects, to set the state free. In the German Empire the "state" is almost as "free" as in Russia. Freedom consists in converting the state from an organ superimposed upon society into one completely subordinate to it, and today, too, the forms of state are more free or less free to the extent that they restrict the "freedom of the state."

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[1] *iron law of wages* This "law" of economics, named but not invented by Lassalle, says that wages tend to revert to subsistence levels, just sufficient for workers to live.

[2] *physic of the prophet* A physic is a supposedly cure-all potion; Marx refers to Lassalle as the "Prophet" and to his proposal for cooperative societies as a cure-all.

[3] *volksherrschaftlich* Literally, "by the rule of the people."

[4] *control by the rule … toiling people* Marx is making fun of the redundancy in the passage which mentions both "democratic" and "rule of the people."

[5] *recipe … the Atelier* Buchez was a Christian Socialist who became President of the Constituent Assembly in France after Louis-Philippe was ousted by the Revolution of 1848. *Atelier* was a journal which represented his views.

[6] *nostrum* Ineffective remedy.

[7] *sectarian* Narrow, pertaining to a small "sect" as opposed to a mass movement.

The German workers' party—at least if it adopts the program—shows that its socialist ideas are not even skin-deep; in that, instead of treating existing society (and this holds good for any future one) as the *basis* of the existing state (or of the future state in the case of future society), it treats the state rather as independent entity that possesses its own *intellectual, ethical and libertarian bases.*

And what of the riotous misuse which the program makes of the words "*present-day state,*" "*present-day society,*" and of the still more riotous misconception it creates in regard to the state to which it addresses its demands?

"Present-day society" is capitalist society, which exists in all civilized countries, more or less free from medieval admixture, more or less modified by the special historical development of each country, more or less developed. On the other hand, the "present-day state" changes with a country's frontier. It is different in the Prusso-German Empire from what it is in Switzerland, it is different in England from what it is in the United States. The "present-day state" is, therefore, a fiction.

Nevertheless, the different states of the different civilized countries, in spite of their manifold diversity of form, all have this in common, that they are based on modern bourgeois society, only one more or less capitalistically developed. They have, therefore, also certain essential features in common. In this sense it is possible to speak of the "present-day state," in contrast with the future, in which its present root, bourgeois society, will have died off.

The question then arises: what transformation will the state undergo in communist society? In other words, what social functions will remain in existence there that are analogous to present functions of the state? This question can only be answered scientifically, and one does not get a flea-hop nearer to the problem by a thousand-fold combination of the word 'people' with the word 'state.'

Between capitalist and communist society lies the period of the revolutionary transformation of the one into the other. There corresponds to this also a political transition period in which the state can be nothing but *the revolutionary dictatorship of the proletariat.*

Now the program does not deal with this nor with the future state of communist society.

Its political demands contain nothing beyond the old democratic litany familiar to all: universal suffrage,[1] direct legislation, popular rights, a people's militia, etc. They are a mere echo of the bourgeois People's Party,[2] of the League of Peace and Freedom. They are all demands which, in so far as they are not exaggerated in fantastic presentation, have already been *realized.* Only the state to which they belong does not lie within the borders of the German Empire, but in Switzerland, the United States, etc. This sort of "state of the future" is a present-day state, although existing outside the "framework" of the German Empire.

But one thing has been forgotten. Since the German workers' party expressly declares that it acts within "the present-day national state," hence within *its own* state, the Prusso-German Empire—its demands would indeed otherwise be largely meaningless, since one only demands what one has not got—it should not have forgotten the chief thing, namely, that all those pretty little gewgaws rest on the recognition of the so-called sovereignty of the people and hence are appropriate only in a *democratic republic.*

Since one has not the courage—and wisely so, for the circumstances demand caution—to demand the democratic republic, as the French workers' programs under Louis Philippe and under Louis Napoleon did, one should not have resorted, either, to the subterfuge, neither "honest" nor decent, of demanding things which have meaning only in a democratic republic from a state which is nothing but a police-guarded military despotism, embellished with parliamentary forms, alloyed with a feudal admixture, already influenced by the bourgeoisie and bureaucratically carpentered, and then to assure this state into the bargain that one imagines one will be able to force such things upon it "by legal means."

Even vulgar democracy, which sees the millennium[3] in the democratic republic and has no suspicion that it is precisely in this last form of state of bourgeois society that the class struggle has to be fought out to a conclusion—even it towers mountains above this kind of democratism which keeps within the limits of what is permitted by the police and not permitted by logic.

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[1] *universal suffrage* Voting rights for all adult individuals in a society.

[2] *People's Party* Established in Germany in 1865, this party unsuccessfully opposed the unification of Germany as a centralized democratic republic under Prussian domination, advocating instead a German federation including Prussia and Austria.

[3] *millennium* Hoped-for utopian age.

That, in fact, by the word "state" is meant the government machine, or the state in so far as it forms a special organism separated from society through division of labor, is shown by the words "the German worker's party demands *as the economic basis of the state*: a single progressive income tax," etc. Taxes are the economic basis of the government machinery and of nothing else. In the state of the future, existing in Switzerland, this demand has been pretty well fulfilled. Income tax presupposes various sources of income of the various social classes, and hence capitalist society. It is, therefore, nothing remarkable that the Liverpool financial reformers, bourgeois headed by Gladstone's brother, are putting forward the same demand as the program.

B. "The German Workers' Party Demands as the Intellectual and Ethical Basis of the State:

1. 'Universal and equal elementary education by the state. Universal compulsory school attendance. Free instruction'"

Equal elementary education? What idea lies behind these words? Is it believed that in present-day society (and it is only with this one has to deal) education can be *equal* for all classes? Or is it demanded that the upper classes also shall be compulsorily reduced to the modicum of education—the elementary school—that alone is compatible with the economic conditions not only of the wageworkers but of the peasants as well?

"Universal compulsory school attendance. Free instruction." The former exists even in Germany, the second in Switzerland and in the United States in the case of elementary schools. If in some states of the latter country higher educational institutions are also "free" that only means in fact defraying the cost of the education of the upper classes from the general tax receipts. Incidentally, the same holds good for "free administration of justice" demanded under A, 5. The administration of criminal justice is to be had free everywhere; that of civil justice is concerned almost exclusively with conflicts over property and hence affects almost exclusively the possessing classes. Are they to carry on their litigation at the expense of the national coffers?

The paragraph on the schools should at least have demanded technical schools (theoretical and practical) in combination with the elementary school.

"*Elementary education by the state*" is altogether objectionable. Defining by a general law the expenditures on the elementary schools, the qualifications of the teaching staff, the branches of instruction, etc., and, as is done in the United States, supervising the fulfillment of these legal specifications by state inspectors, is a very different thing from appointing the state as the educator of the people! Government and Church should rather be equally excluded from any influence on the school. Particularly, indeed, in the Prusso-German Empire (and one should not take refuge in the rotten subterfuge that one is speaking of a "state of the future"; we have seen how matters stand in this respect) the state has need, on the contrary, of a very stern education by the people.

But the whole program, for all its democratic clang, is tainted through and through by the Lassallean sect's servile belief in the state, or, what is no better, by a democratic belief in miracles, or rather it is a compromise between these two kinds of belief in miracles, both equally remote from socialism.

"*Freedom of science*" says a paragraph of the Prussian Constitution. Why, then, here?

"Freedom of conscience!" If one desired at this time of the *Kulturkampf*[1] to remind liberalism of its old catchwords, it surely could have been done only in the following form: Everyone should be able to attend to his religious as well as his bodily needs without the police sticking their noses in. But the workers' party ought at any rate in this connection to have expressed its awareness of the fact that bourgeois "freedom of conscience" is nothing but the toleration of all possible kinds of *religious freedom of conscience*, and that for its part it endeavors rather to liberate the conscience from the witchery of religion. But one chooses not to transgress the "bourgeois" level.

I have now come to the end, for the appendix that now follows in the program does not constitute a characteristic component part of it. Hence I can be very brief here.

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[1] *Kulturkampf* German: battle of civilizations. Here the reference is to Bismarck's struggle in the 1870s against the German Catholic Party, a Party of the "Center," by means of police persecution of Catholicism.

"The German Workers' Party Demands as the Intellectual and Ethical Basis of the State:

2. 'Normal Working Day'"

In no other country has the workers' party limited itself to such an indefinite demand, but has always fixed the length of the working day that it considers normal under the given circumstances.

"The German Workers' Party Demands as the Intellectual and Ethical Basis of the State:

3. 'Restriction of Female Labor and Prohibition of Child Labor'"

The standardization of the working day must include the restriction of female labor, in so far as it relates to the duration, intermissions, etc., of the working day; otherwise it could only mean the exclusion of female labor from branches of industry that are especially unhealthy for the female body or are objectionable morally for the female sex. If that is what was meant, it should have been said so.

"*Prohibition of child labor*." Here it was absolutely essential to state the age limit.

A *general prohibition* of child labor is incompatible with the existence of large-scale industry and hence an empty, pious wish. Its realization—if it were possible—would be reactionary, since, with a strict regulation of the working time according to the different age groups and other safety measures for the protection of children, an early combination of productive labor with education is one of the most potent means for the transformation of present-day society.

"The German Workers' Party Demands as the Intellectual and Ethical Basis of the State:

4. 'State Supervision of Factory, Workshop and Domestic Industry'"

In consideration of the Prusso-German state it should definitely have been demanded that the inspectors are to be removable only by a court of law; that any worker can have them prosecuted for neglect of duty; that they must belong to the medical profession.

"The German Workers' Party Demands as the Intellectual and Ethical Basis of the State:

5. 'Regulation of Prison Labor'"

A petty demand in a general workers' program. In any case, it should have been clearly stated that there is no intention from fear of competition to allow ordinary criminals to be treated like beasts, and especially that there is no desire to deprive them of their sole means of betterment, productive labor. This was surely the least one might have expected from Socialists.

"The German Workers' Party Demands as the Intellectual and Ethical Basis of the State:

6. 'An Effective Liability Law'"

It should have been stated what is meant by an "effective" liability law.

Be it noted, incidentally, that in speaking of the normal working day the part of factory legislation that deals with health regulations and safety measures, etc., has been overlooked. The liability law only comes into operation when these regulations are infringed.

In short, this appendix also is distinguished by slovenly editing.

Dixi et salvavi animam meam.[1]

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[1] *Dixi et salvavi animam meam* Latin: I have spoken and saved my soul.

FRIEDRICH NIETZSCHE
(1844 – 1900)

> In the end, what is there for it? There is no other means to bring philosophy again into honor: one must first hang all moralists.
>
> —Friedrich Nietzsche

Who Was Friedrich Nietzsche?

Friedrich Wilhelm Nietzsche was one of the most original, important and—belatedly—influential voices of the nineteenth century, and is among the greatest of the German-speaking philosophers since Kant. He was born in 1844, on the birthday of King Friedrich Wilhelm IV of Prussia (after whom he was named), in the village of Röcken near Leipzig in the region of Saxony. His father and both grandfathers were Lutheran ministers. Nietzsche's father, Carl Ludwig, died of a head injury before he was five and Nietzsche's younger brother died the next year, and so he and his sister Elisabeth were brought up by his mother, Franziska, and two aunts. As a young boy he struggled with his schoolwork, but persevered, rising at 5 am to begin his school day and then studying extra hours in the evening to keep up with his Greek. He spent much of his free time playing the piano—Nietzsche was a skilled pianist—and, beginning before the age of ten and continuing throughout his life, he composed many pieces of music and wrote a great deal of poetry.

In 1858 Nietzsche was admitted to Schulpforta, one of Germany's oldest and most prestigious private boarding schools. The fourteen-year-old Nietzsche found the transition to the school's rigorous, almost monastic, regime hard, but again he persevered and played an energetic role in the school's intellectual, musical, and cultural life. By 1861, however, he was beginning to be plagued by headaches, fevers, eye strain, and weakness—the first real signs of the ill health from which he was to suffer for the rest of his life. In 1864 Nietzsche graduated from Pforta: although his grades were patchy he had already shown signs of great intellectual promise, especially in the study of languages.

After a brief stint as a theology student at the University of Bonn, Nietzsche enrolled at the university in Leipzig and began work in classical philology—the study of the linguistic, interpretative, and historical aspects of Greek and Roman literature. At this time he discovered the work of Arthur Schopenhauer (1788–1860), a pessimistic German philosopher who saw the world as an irrational, godless place of ceaseless striving and suffering. He also met and became friends with the composer Richard Wagner (1813–83), a creative genius who revolutionized opera with his concept of a "music drama" fusing music, poetry, drama, and legend (the most famous expression of which is his *Ring* cycle). Both of these men were to be great influences on Nietzsche's philosophical thought.

Before he had completed his studies Nietzsche was invited to take up a post as professor of classical philology at the University of Basel in Switzerland, at the unprecedentedly young age of 24; and Leipzig University hastily gave him a doctorate without even bothering with the formality of an examination. Nietzsche began his new job at Basel in 1869, after renouncing his Prussian citizenship, and in 1870 was immediately promoted to the rank of full professor. In that same year the French parliament declared war on Prussia. Nietzsche volunteered for military service but, because of Switzerland's neutrality, he was allowed only to serve as a medical orderly. He was on the front lines for approximately a week before falling ill himself—of diphtheria—and he spent most of the rest of the short Franco-Prussian war (Paris surrendered in January 1871) recuperating, and continuing his academic work.

His first book, *The Birth of Tragedy Out of the Spirit of Music*, appeared in 1872 and was expected to secure his reputation as a brilliant young scholar: instead, it caused a small tempest of academic controversy—a battle which Nietzsche was deemed by his professional contemporaries to have lost. Rather than publishing a traditional work of classical scholarship, Nietzsche had instead presented a rhapsodic, free-flowing essay which attempted to apply Schopenhauer's philosophical ideas to an interpretation of the origins of Greek tragedy, and which argued that the spirit of Greek tragedy was once again reborn in the music-dramas of Richard Wagner. Nietzsche hoped that this work would establish his reputation as a philosopher (and allow him to transfer to the philosophy department at Basel), but it no more resembled a traditional work of philosophy than it did one of philology. Nietzsche's reputation as a professional scholar was from this point on irreparably damaged.

For several years after the publication of *The Birth of Tragedy*, Nietzsche was generally shunned by students but he continued to teach philosophy at Basel until 1879. In that year he was forced to resign due to ill health: by this time he could often hardly see to read and write, and was beset with headaches and other pains. He was given a pension of two-thirds his salary. It was not quite enough for Nietzsche to live on comfortably, but now he was free to devote all his time to his real love—the writing of philosophy.

Disliking the increasingly nationalist climate of Bismarck's "Second Reich," Nietzsche spent most of the next decade, from 1880 until 1889, in self-imposed exile, wandering around Europe (France, Italy, Switzerland) staying with various friends. In 1882, in Rome, Nietzsche met the bewitching Lou von Andreas-Salomé and fell madly in love with her. Within two months he asked her to marry him; she refused. A month later in Lucerne he proposed again, and was again rejected. Nevertheless, Nietzsche, Salomé, and their mutual friend Paul Rée became for a time firm companions, traveling together and calling themselves the *Dreieinigkeit* or "trinity" of free spirits. The capricious Salomé, however, was not warmly received by Nietzsche's possessive mother and sister—eventually his mother refused to have Lou in the house. This caused such family bickering that Nietzsche, upset and depressed, broke off his relations with Rée and Salomé and also ceased his correspondence with his mother and sister for a few months. On his (rather bumpy) reconciliation with his sister Elisabeth, she began a campaign to turn Nietzsche decisively against Rée and Salomé, and was quite quickly successful in making the split between Nietzsche and his former friends irrevocable.

Despite this and various other emotional upsets, Nietzsche produced several substantial philosophical books during the first few years of his "wandering" decade: *Human, All Too Human: A Book for Free Spirits* (1878–80), *Daybreak: Thoughts on the Prejudices of Morality* (1881), *The Gay Science* (1882), and *Thus Spake Zarathustra* (1883–85). They sold so few copies, however, that by the time he came to write *Beyond Good and Evil* (1886) he was having great difficulty finding publishers and was rapidly running out of money. The late 1880s were lonely, worried years for Nietzsche: his health was very bad, he had little money, he had destroyed his relationships with most of his friends (including Wagner and his circle), and his philosophical work was falling on deaf ears.

In 1887 Nietzsche published *On the Genealogy of Morals*, and in 1888, at long last, he began to see the first signs of public recognition he craved; the new book reached a much broader readership. Nietzsche, never a modest man, soon began to show signs of full-blown megalomania, referring to himself in letters as, for example, "the first spirit of the age" and "a genius of the Truth." In this final year of his sanity he managed to write no fewer than five new books: *The Case of Wagner*, *Twilight of the Idols (or How to Philosophize with a Hammer)*, *The Anti-Christ*, *Ecce Homo*, and *Nietzsche Contra Wagner*. By January of 1889, however, his communications were so bizarre—they are the so-called *Wahnbriefe*, or "mad letters"—that his remaining friends became concerned and called in the director of the Psychiatric Clinic in Basel, Dr. Ludwig Wille.

Nietzsche, by now completely insane, was tracked down in Turin and (with the help of a local dentist named Dr. Bettmann) was brought back to Basel and then quickly transferred to a psychiatric clinic in the central German city of Jena. He was only 44. The doctors quickly agreed that the prospects for Nietzsche's recovery were slim, even after his condition improved somewhat with confinement and treatment. They reported that "he speaks more coherently and ... the episodes with screaming are more seldom. Different delirious notions appear continually, and auditory hallucinations still occur.... He recognizes his environment only partially, e.g., he calls the chief orderly Prince Bismarck etc. He does not know exactly where he is."

In 1890, Nietzsche was released into the care of his mother and his mental health declined even further into a kind of permanent apathy and, gradually, paralysis.

Meanwhile, his sister Elisabeth seized control of Nietzsche's literary remains.[1] She created a Nietzsche Archive in Naumburg, near Leipzig, in 1894 and quickly turned out a biography of her brother in which she presented herself as his major influence and closest friend. She even hired a tutor, Rudolf Steiner, to teach her about her brother's philosophy, but after a few months Steiner resigned in disgust, declaring that it was impossible to teach her anything about philosophy. After much legal wrangling, editions of many of Nietzsche's previously unpublished works were released, several of his books were translated into English and other languages, and (partly because of his sister's energetic, if self-serving, proselytizing) Nietzsche's intellectual influence began to increase. It is now widely agreed, however, that Elisabeth's editing practices caused great harm to Nietzsche's reputation for many years after his death; many of his thoughts were twisted to fit her virulent German nationalism and Christianity—and her virulent anti-Semitism.

Nietzsche finally died in the German city of Weimar—where Elisabeth had relocated the Nietzsche Archive, along with her helpless brother—on August 25, 1900.[2] For some time before his death, his sister—who was still enthusiastically encouraging the formation of a "Nietzsche cult"—had taken to dressing the half-paralyzed Nietzsche in ridiculous "holy" outfits and propping him up on the balcony of his home for the adoring groups below to witness, an indignity which Nietzsche would have loathed.

What Was Nietzsche's Overall Philosophical Project?

Nietzsche's unusual philosophical approach makes him one of the most difficult philosophers to interpret. His arguments are rarely straightforward and require considerable diligence on the part of the reader. With some exceptions (the *Untimely Mediations* and *Genealogy of Morals*, included here, come to mind), he prefers to write in short sections (which may extend to a few pages) or aphorisms. One of the few great stylists among philosophers, Nietzsche employs many literary devices, including metaphor, hyperbole, and irony (not to mention invective and sarcasm), designed to provoke the reader. He expects his readers to struggle actively with the problems he raises and to that end he often refuses to set out his claims in a straightforward manner. In a passage from the *Gay Science*, he writes, "It is not by any means necessarily an objection to a book when anyone finds it impossible to understand: perhaps that was part of the author's intention—he did not want to be understood by just 'anybody.' All the nobler spirits and tastes select their audience when they wish to communicate; and choosing that, one at the same time erects barriers against 'the others'" (*Gay Science* 381). Needless to say, this doesn't make for easy reading!

Beyond this, Nietzsche often presents various perspectives on the same issue, raising further interpretative problems, especially when different passages either explicitly or implicitly contradict each other. This isn't simply a result of his views evolving over time (though they did) or his reliance on multiple discourses, including philology, law, medicine, economics, and biology. In an oft-quoted passage from his early unpublished work, "On Truth and Lies in a Non-moral Sense" (1873), Nietzsche claimed that "truth" is only "a mobile army of metaphors, metonyms, and anthropomorphisms." Nietzsche savagely critiques how philosophers have been led by words to make claims about reality; he is acutely aware of how language shapes our concepts, potentially leading us astray. Nietzsche doesn't hold a crude relativism where every view has equal warrant—if he did, it would be hard to see how he could hold any substantial views. He believed instead that various of these perspectives have merit and need to be evaluated in terms of their human value. In the *Genealogy of Morals* he asserts, "There is *only* a perspective seeing, *only* a perspective 'knowing'; and the *more* affects we allow to speak about one thing, the *more* eyes, different eyes, we can use to observe one thing, the more complete will our 'concept' of this thing, our 'objectivity,' be" (Third Essay, Section 12). As a result, scholars often diverge widely on fundamental issues. Any attempt to present a non-controversial summary of Nietzsche's philosophy is bound to fail.

A further obstacle for anyone writing about his social and political philosophy is that, while Nietszche is widely recognized as an important moral philosopher, it is not clear that he has a well-developed social or political philosophy. In *Ecce Homo*, he claims, "It is only beginning with me that the earth knows *great politics*" (*Ecce Homo*, "Why I Am a Destiny," 1). However, in the same book he suggests, "I am perhaps more German than present-day Germans, mere citizens of the German *Reich*, could possibly be—I, the last *anti-political* German" ("Why I am So Wise," 3). Though he has many remarks expressing political views, these are rarely developed and, at times, are naïve or odious. Nietzsche clearly did not believe that every human being has equal moral worth and denigrates liberalism, egalitarianism, and democracy. This has sometimes been taken to imply a coherent political stance.[1] At the same time, Nietzsche never presents a developed *theory* of the state, justice, political legitimacy, liberty, toleration, international affairs, gender relations, or other major political topics.

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[1] She and her racist husband Bernhard Förster (whom Nietzsche detested) had been living in Paraguay, South America, where Förster was attempting to establish the pure Aryan colony of "New Germany." However Förster committed suicide in 1889 and, after unsuccessfully trying for a few months to hold the colony together, Elisabeth returned to Germany.

[2] Although there is still controversy about this issue, most commentators agree that he probably suffered from and succumbed to syphilis.

Some philosophers have seized on Nietzsche's discussion of the Hindu Laws of Manu in the *Antichrist* (section 57), which appear to support a hierarchical caste based society. While this resonates in some ways with Nietzsche's claim that there are different types of people—masters and slaves (more on this below)—other remarks explicitly criticize such laws (*Twilight of the Idols*, "The 'Improvers' of Mankind," 3). Indeed, when taken in context, the passage in the *Antichrist* should be read as a rhetorical contrast to Christianity, *not* as an endorsement of Manu.[2]

One might seize on the "anti-political" remark mentioned above in setting out Nietzsche's political philosophy. For example, in *Thus Spake Zarathustra*, Nietzsche adds, "Only where the state ends, there begins the human being who is not superfluous" (*Zarathustra* I:11). There are other passages where Nietzsche considers the state antithetical to culture and creativity. This suggests that Nietszche is a sort of anarchist (as he was considered to be by Emma Goldman). But elsewhere Nietzsche identifies anarchists and Christians as "both decadents, both incapable of having any effect other than disintegrating, poisoning, withering, bloodsucking ..." (*The Antichrist* 58).

Why, then, include Nietzsche in an anthology of social and political philosophy? First, he provides one of the most original and subtle analyses of morality, as he pursues his ambition of providing a re-evaluation of morals. Though he has some predecessors, notably the character of Callicles in Plato's *Gorgias* (and, to a lesser extent, Thrasymachus in Book 1 of the *Republic*), Nietzsche presents a critique of morality that is far more detailed and wide-ranging.[3] Nietzsche's reexamination of the moral tradition is radical and powerful, casting doubt on the transparency and desirability of much of the moral and political tradition. Second, Nietzsche has had a major influence on political ideas, beginning with his unfortunate appropriation by Nazi philosopher Alfred Baeumler. It is generally agreed that Nietzsche's philosophy is antithetical to the Nazis, but the stigma—at least in popular conception—has remained. More positively, he also influenced Max Weber, particularly in Weber's writings on power. In the twentieth century, Nietzsche inspired French post-structuralist Michel Foucault, who developed his genealogical method, focusing on the nature and importance of power. Nietzsche has also exerted a surprising amount of influence on left-wing and liberal thought.

What, exactly, then, is Nietzsche's project? Broadly speaking, Nietzsche undertakes an examination of our moral prejudices and their biological and historical origins. Nietzsche denies that people are equal, a fundamental claim in most modern moral theories; instead, he suggests that there are natural differences between types of people, with some "higher" than the rest, and these natural facts lead to different types of morality. Nietzsche contrasts master morality and slave morality, arguing that master morality is historically prior. Master morality is the morality of the "nobles" or "aristocrats"—not in the sense of social position, but in terms of natural superiority—and involves a contrast between "good" and "bad." According to Nietzsche, "Moral designations were everywhere first applied to human beings and only later, derivatively, to actions" (*Beyond Good and Evil* 260). For master morality, then, "good" is identified with noble; it is what the masters endorse: "The noble type of man experiences *itself* as determining values; ... it is *value-creating*" (*Beyond Good and Evil* 260). "Bad," in master morality, is quite different from "evil"—it simply means not-noble or "contemptible."

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[1] Most notoriously, the Nazis appropriated a distorted version of Nietzsche, in part influenced by his sister's anti-Semitic distortions.

[2] This reflects the danger of reading Nietzsche literally and out of context.

[3] The claim of Callicles' paralleled in Nietzsche is that the inferior use morality to enslave those who are naturally better (*Gorgias* 491e–492a). In other words, morality is in the rational self-interest of the weak and is used to bind the stronger to their will. In *The Genealogy of Morals*, he refers to "slave" morality as "prudence of the lowest order" (Book 1: 13). Nietzsche rejects Callicles' other, less interesting view, that we should let our appetites grow unchecked (*Gorgias* 419e).

The nobles are only a small part of society and, understandably, cause resentment. This leads to an inversion of values, and to "the vengefulness of the impotent" (*Genealogy of Morals* 1, 10), who react against noble morality. Everything noble—selfishness, inequality, self-reverence, the affirmation of suffering—is transformed and labeled "evil." In their place, "those qualities are brought out and flooded with light which serve to ease existence for those who suffer: here pity, the complaisant and obliging hand, the warm heart, patience, industry, humility, and friendliness are honored—for here these are the most useful qualities and almost the only means of enduring the pressure of existence. Slave morality is essentially a morality of utility" (*Beyond Good and Evil* 260).

The problem with the ascendancy of slave morality is that it can only be accomplished at the expense of the excellent. Nietzsche accused slave morality of being "life-denying," suggesting that it follows Christianity in denying this world and encouraging people to set their sights on the afterlife. It denies growth, sexuality, and the body, and demands the repression of the instincts and self-mortification, what Nietzsche called the "ascetic ideal." Slave morality is a morality of the majority or of the lowest common denominator. As mentioned above, Nietzsche held that there is a natural hierarchy among human beings; he valued the flourishing of higher men. Slave morality actively suppresses exceptional people, the "free spirits" who disdain democracy, equality, and social convention, and are "*delivered* from the crowd, the multitude, the majority, where [they are] allowed to forget the rule of 'humanity,' being the exception to it."[1]

Who are these free spirits? In different places, Nietzsche condemns Jesus, St. Paul, Socrates, Rousseau, and Mill (among many others), while praising Napoleon, Caesar, Goethe, Beethoven, and Nietzsche himself as free spirits. He even classifies "the man of prey," Cesare Borgia (who also appears in Machiavelli's *The Prince*), as a free spirit; it would be difficult to set out a list of characteristics shared by all these "free spirits." It might be suggested that instead of toiling for "objectivity" and consensus, "free spirits" will revel in their subjectivity and strive for the *extraordinary*. They are in touch with their own instinctual life—their "will to power"—and rise beyond, or "overcome," traditional morality and religion.[2] According to Nietzsche, these traditional ethical systems are merely historical creations which serve the self-interested purposes of their creators and artificially constrain the horizons of human possibility.

Another way of identifying these "free spirits" is through Nietzsche's famous thesis of "eternal recurrence": the idea that time is cyclical, repeating itself in an endless loop over and over again. It is not fully clear whether Nietzsche actually *believed* this cosmological claim, but he did use it as a way of expressing what he thought of as a more positive attitude to life than the moral or Christian one. Instead of the value of one's life being judged *at its end*, Nietzsche suggests that we should see our lives as being subject to eternal recurrence, and thus that we should strive to make *each moment* of our life one that we would want to repeat over and over again for eternity.

What Is the Structure of These Readings?

Beyond Good and Evil and the *Genealogy of Morals* are both later—post-*Zarathustra*—works. *Beyond Good and Evil* is divided into eight sections and a poem:

On the Prejudices of Philosophers
The Free Spirit
What Is Religious
Epigrams and Interludes
Natural History of Morals
We Scholars
Our Virtues
People and Fatherlands
What Is Noble
From High Mountains: *Aftersong*

Beyond Good and Evil is a vast book. It attacks philosophical practice from Plato onwards, and deals with many of the major philosophical conundrums, such as free will, knowledge, and consciousness. It also sets out a "life-affirming" philosophy in *The Free Spirit*. For our purposes, the sections "Natural History of Morals" and "What Is Noble" are particularly important. "Natural History of Morals" contains scathing criticisms of Plato, Christianity, utilitarianism, Kant, and democracy as degenerate and life-denying. Nietzsche also begins to develop the notion of herd morality, particularly in section 260 of "What Is Noble." Here he elaborates on the contrast between master morality and slave morality (a subject broached in section 45 of *Human, All-Too-Human,* and further developed in *The Genealogy of Morals*).

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[1] One of Nietzsche's most celebrated notions is the "overman" or "superman" (Übermensch), but its role is not as prominent as one might expect. It appears mostly in *Thus Spake Zarathustra* and is later replaced by the notion of "higher men."

[2] One of Nietzsche's most famous aphorisms occurs in *The Gay Science*, where he proclaims that "God is dead" (Book 3, Section 125). In *Beyond Good and Evil* he calls Christianity "an ongoing suicide of reason."

Nietzsche called the *Genealogy* a sequel to *Beyond Good and Evil.* He develops many of its themes in three essays, "Good and Evil, Good and Bad"; "Guilt, Bad Conscience and Related Matters"; and "What Is the Meaning of Ascetic Ideals?" The first essay includes his most detailed development of a contrast between master and slave morality. The second essay contains a profound—and disturbing—discussion of punishment, contractual relations, promising, and guilt. For social and political philosophers, this is of central importance. Nietzsche challenges the standard connection between punishment and free will—the idea that people should only be punished if they have intended their actions. He claims that this is a recent view and that "throughout the greater part of human history punishment was *not* imposed *because* one held the wrongdoer responsible for his deed, thus *not* on the presupposition that only the guilty one should be punished" (*Genealogy of Morals*, Second Essay, Section 4). Rather, he sees the idea as having its origin in the "contractual relationship between *creditor* and *debtor,* which is as old as the idea of 'legal subjects' and in turn points back to the fundamental forms of buying, selling, barter, trade and traffic" (*Genealogy of Morals*, Second Essay, Section 4). (Nietzsche ties guilt to debts, noting the German connection between Schuld [guilt] and Schulden [debts]). Nietzsche goes on to argue ingeniously that "justice," "fairness," "good will," and "objectivity," all developed as moral and political concepts out of the relationship between buyer and seller.

The third essay (not included here), "What Is the Meaning of Ascetic Ideals?" contains some of Nietzsche's most penetrating analyses of asceticism and life-denying morality.

Some Useful Background Information

One of the central concepts in Nietzsche's philosophy is that of the will to power. According to Nietzsche, the will to power is the basic disposition of all life, including human life: it is the principle which provides the ultimate force for everything that happens in the natural (or at least the biological) world. Thus, every organic phenomenon—plant growth, predation, or even the establishment of a religion—can be understood, according to Nietzsche, as being brought about by an underlying set of power relationships, where each term of the relation is exerting a "force of will" that strives, with varying success, to expand towards and transform the other terms. "Slave morality," for example, can be analyzed in terms of the will to power of the oppressed and their vindictive inversion of values.

i) Though Nietzsche makes it clear in his writings that he admires master morality more than slave morality, there is nevertheless controversy over whether Nietzsche actually *endorsed* master morality. In an oft-cited passage from the *Antichrist* 57, Nietzsche asserts: "When the exceptional human being treats the mediocre more tenderly than himself and his peers, this is not mere politeness of the heart—it is simply his duty." The free spirits certainly have more in common with master than slave morality, but might nevertheless supersede *both* types and give expression to a third form of "morality" altogether.

ii) Nietzsche's "master" and "slave" moralities are ideal types. As he writes, "in all higher and more mixed cultures there also appear attempts at mediation between these two moralities, and yet more often the interpenetration and mutual misunderstanding of both, and at times they occur directly alongside each other—even in the same human being, within a single soul" (*Beyond Good and Evil* 260).

iii) Though Nietzsche called himself an "immoralist," and attacks morality—particularly "slave" morality, which he thought dominated his era—he is not encouraging people to *behave immorally.* In one of his earlier works, *The Dawn* (1881), he firmly asserts that:

> it goes without saying that I do not deny, presupposing I am no fool, that many actions called immoral ought to be avoided and resisted, or that many called moral ought to be done and encouraged—but *for different reasons than formerly.*

iv) Although Nietzsche certainly did equate the rise of Judeo-Christianity with the ascendance of "slave morality"—the issues of anti-Semitism and his supposed sympathy for what became the ideological themes of the Nazi party, largely arose out of misunderstandings and deliberate distortions of his work after his death. Numerous passages in Nietzsche's works explicitly condemn anti-Semitism. To be sure, in his earlier writings from the time of his association with the rabid anti-Semite Richard Wagner, there are passages in which he expresses anti-Semitic views. But he later repudiated these views; indeed, when he was writing *Beyond Good and Evil*, he split with his previous publisher Ernst Schmeitzner, in part because Nietzsche objected to Schmeitzner's close association with the anti-Semitic movement in Germany.

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Beyond Good and Evil

from *Part Five: A Natural History of Morals*

186. Moral feeling in Europe is now just as refined, old, multi-faceted, sensitive, and sophisticated as the "Science of Morality" associated with it is still young, amateurish, awkward, and fumbling: an attractive contrast which now and then even becomes visibly incorporated in the person of a moralist. Even the phrase "Science of Morals" is, so far as what it designates is concerned, much too arrogant and contrary to good taste, which tends always to prefer more modest terms. We should in all seriousness admit to ourselves what we have needed to do for a long time and still need to do, the only thing that is justified at this point, that is, to assemble materials, organize conceptually, and set in order an immense realm of delicate feelings of value and differences in values, which live, grow, reproduce, and die off—and, perhaps, to attempt to clarify the recurring and more frequent forms of these living crystallizations, as a preparation for a theory of types of morality. Naturally, so far we have not been so modest.

As soon as philosophers busied themselves with morality as a science, they collectively have demanded from themselves, with a formal seriousness which makes one laugh, something very much higher, more ambitious, more solemn. They have been looking for the rational basis of morality, and every philosopher so far has believed that he has provided such a rational grounding for morality. But morality itself has been considered something "given." How distant from their stodgy pride lay that apparently unspectacular task, left in the dust and mould, of a description, although for that task the subtlest hands and senses could hardly be subtle enough!

The very fact that the moral philosophers had only a crude knowledge of the moral facts, in an arbitrary selection or an accidental abbreviation, something like the morality of their surroundings, their class, their church, the spirit of their age, their climate and region of the world—the very fact that they were poorly educated and not even very curious with respect to peoples, ages, and past events—meant that they never confronted at all the essential problems of morality, all of which come to the surface only with a comparison of several moralities.

In all the "science of morality" up to this point what is still lacking, odd as it may sound, is the problem of morality itself. What's missing is the suspicion that here there may be something problematic. What the philosophers have called a "rational grounding of morality" and demanded from themselves was, seen in the right light, only a scholarly version of good faith in the ruling morality, some new way of expressing it, and thus itself an element in the middle of a determined morality, even indeed, in the final analysis, a form of denial that this morality could be grasped as a problem—and, at any rate, the opposite of a test, analysis, questioning, or vivisection of this particular belief.

Listen, for example, to how even Schopenhauer[1] presents his own task with such an almost admirable innocence, and make your own conclusions about the scientific nature of a "science" whose ultimate masters still talk like children and old women: "The principle," he says (in *The Fundamental Problem of Morality*), "the basic assumption whose meaning all ethicists are essentially in agreement about—*neminem laede, immo omnes, quantum potes, juve*[2]—that is really the principle which all teachers of morality struggle to ground in reason ... the essential foundation of ethics, which people have been seeking for thousands of years as the philosopher's stone."

The difficulty of rationally grounding the principle quoted above may, of course, be great—as we know, it's not something Schopenhauer was successful in doing—and whoever has once thoroughly understood just how tastelessly false and sentimental this principle is in a world whose essence is the will to power may permit himself to recall that Schopenhauer, although a pessimist, really played the flute.... Every day, after his meal: just read his biographers on this point. And here's an incidental question: a pessimist, a man who denies god and the world, who stops in front of morality, who says yes to morality and blows his flute, the *laede-neminem*[1] morality—How's that? Is that really—a pessimist?

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[1] *Schopenhauer* Arthur Schopenhauer, German philosopher (1788–1860) whose ethics stressed the importance of overcoming egoism, of alleviating suffering, and of compassion. Much of Nietzsche's mature philosophical work was written in response to Schopenhauer's work, and in particular to his pessimism, which Nietzsche strives to overcome.

[2] *neminen ... juve* Latin: hurt no one; rather, help all as much as you can.

187. Even apart from the value of such claims as "There is in us a categorical imperative," we can still always ask: What does such a claim express about the person making it? There are moralities which are intended to justify their creators before other people; other moralities are meant to calm him down and make him satisfied with himself; with others he wants to nail himself to the cross and humiliate himself; with others he wants to practice revenge; with others to hide himself; with others to be transfigured and set himself above, high up and far away. This morality serves its originator so that he forgets; that morality so that he or something about him is forgotten; some moralists may want to exercise their power and creative mood on humanity, some on others. Perhaps even Kant[2] wants us to understand with his morality: "What is respectable about me is that I can obey—and things should be no different for you than they are for me"—in short, moralities are also only sign languages of the feelings.

188. Every morality is—in contrast to *laisser aller*[3]—a part of tyranny against "nature," also against "reason": that is, however, not yet an objection to it. To object, we would have to decree, once again, on the basis of some morality or other, that all forms of tyranny and irrationality are not permitted. The essential and invaluable part of every morality is that it is a lengthy compulsion: to understand Stoicism[4] or Port Royal[5] or Puritanism[6] people should remember the compulsion under which every language so far has achieved strength and freedom—the metrical compulsion, the tyranny of rhyme and rhythm.

In every people how much trouble poets and orators have made for themselves—including some contemporary prose writers in whose ears a relentless conscience dwells—"for the sake of some foolishness," as utilitarian fools say, who think that makes them clever,—"out of obsequiousness to arbitrary laws," as the anarchists say, who think that makes them "free," even free spirited. The strange fact, however, is that everything there is or has been on earth to do with freedom, refinement, boldness, dance, and masterly certainty, whether it is in thinking itself, or in governing, or in speaking and persuading, in arts just as much as in morals, developed only thanks to the "tyranny of such arbitrary laws," and in all seriousness, the probability is not insignificant that this is "nature" and "natural"—and not that laisser aller!

Every artist knows how far from the feeling of letting himself go his "most natural" condition is, the free ordering, setting, disposing, shaping in the moment of "inspiration"—and how strictly and subtly he obeys at that very moment the thousand-fold laws which make fun of all conceptual formulations precisely because of their hardness and decisiveness (even the firmest idea, on the other hand, contains something fluctuating, multiple, ambiguous—).

The essential thing "in heaven and on earth," so it appears, is, to make the point again, that there is obedience for a long time in one direction: in the process there always comes and always has come eventually something for whose sake living on earth is worthwhile, for example, virtue, art, music, dance, reason, spirituality—something or other transfiguring, subtle, amazing, and divine.

The long captivity of the spirit, the mistrustful compulsion in our ability to communicate our thoughts, the discipline which the thinker imposed on himself to think within the guiding principles of a church or court or with Aristotelian assumptions, the long spiritual will to interpret everything which happens according to a Christian scheme and to discover and justify the Christian god once again in every coincidence—all this powerful, arbitrary, hard, dreadful, anti-rational activity has turned out to be the means by which the European spirit cultivated its strength, its reckless curiosity, and its subtle flexibility. Admittedly in the process a great deal of irreplaceable force and spirit must have also been overwhelmed, crushed, and ruined (for here as everywhere "nature" reveals herself as she is, in her totally extravagant and indifferent magnificence, which is an outrage, but something noble).

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[1] *laede neminem* Latin: hurt no one.

[2] *Kant* Immanuel Kant, German philosopher (1724–1804) whose moral theory is grounded on the principle that we should freely act on our duty to obey the categorical imperative (universal moral law) within us.

[3] *laisser aller* French: letting go.

[4] *Stoicism* School of philosophy originating in the Hellenistic period (around 301 BCE) that advocated detachment from the emotions, and observation of the natural law.

[5] *Port Royal* French Jansenist Catholic school of philosophy (after Cornelius Jansen [1585–1638]) that emphasized original sin, the necessity of divine grace, and predestination.

[6] *Puritanism* Strand of Protestant Christianity which emphasized moral purity, private study of the Bible, and God's authority over human affairs.

The fact that for thousands of years European thinkers thought in order to prove something—nowadays, by contrast, we distrust any thinker who "wants to prove something"—and the fact that for them what was going to emerge as the result of their strictest thinking was always already clearly established, something like the Asiatic astrologers earlier or like the harmless Christian moralistic interpretation of the most intimate personal experience "for the honor of God" or "for the salvation of the soul" still present today—this tyranny, this arbitrariness, this strict and grandiose stupidity, has trained the spirit. Apparently slavery is, in the cruder and more refined sense, the indispensable means for disciplining and cultivating the spirit.

We can examine every morality in this way: "nature" in it is what teaches hatred of the *laisser aller*, of that all-too-great freedom, and plants the need for limited horizons, for work close at hand—it teaches the narrowing of perspective and also, in a certain sense, stupidity as a condition of living and growth. "You should obey someone or other and for a long time: otherwise you perish and lose final respect for yourself"—this seems to me to be the moral imperative of nature, which, of course, is neither "categorical," as old Kant wanted the imperative to be (thus the "otherwise"), nor directed at the individual (what does nature care about individuals!), but rather at peoples, races, ages, classes, but above all at the whole animal "man," at human beings.

189. The industrious races complain a great deal about having to tolerate idleness: it was a masterpiece of the English instinct to make Sunday so holy and so tedious that the Englishman, without being aware of the fact, became eager again for weekdays and workdays—a form of cleverly invented and shrewdly introduced fasting. Things like it are frequently seen also in the ancient world (even if, as is reasonable among southern people, not exactly connected to work). There must be fasts of several kinds, and everywhere where powerful impulses and habits rule, the lawgivers had to take care to set aside empty days in which such an impulse is placed in chains and learns once again to go hungry.

Seen from a higher viewpoint, the periods when entire races and ages get afflicted with some moral fanaticism or other look like such imposed times of compulsion and fasting, during which an impulse learns to cower down and abase itself, but also to cleanse itself and become sharper. Individual philosophical sects (for example the Stoa in the midst of Hellenistic culture and its lecherous air heavy with aphrodisiac scents) can also be given this sort of interpretation. And with this is also given a hint for an explanation of that paradox why it was precisely in Europe's Christian period and, in general, first under the pressure of Christian value judgments that the sex drive sublimated itself into love (amour-passion).

190. There is something in Plato's morality which does not really belong to Plato, but is found in his philosophy, one might say, only in spite of Plato, namely, the Socratism for which Plato was essentially too noble. "No one will do harm to himself; thus, everything bad happens unwillingly. For the bad man inflicts damage on himself: he would not do that, if he knew that bad is bad. Thus, the bad man is bad only from error. If we take his error away from him, we necessarily make him—'good.'"

This sort of conclusion stinks of the rabble, which sees in bad actions only the wretched consequences and, in fact, makes the judgment "It is stupid to act badly," while "good" it assumes without further thought is identical to "useful and agreeable." So far as every utilitarianism of morality is concerned, we may guess from the start it had the same origin and follow our noses: we will seldom go wrong. Plato did everything to interpret something subtle and noble in the principle of his teacher, above all, himself.

Plato is the most daring of all interpreters who took all of Socrates only like a popular tune and folk song from the alleys, in order to vary it into something infinite and impossible, that is, into all his own masks and multiplicities. To speak in jest—and one based on Homer: What is the Platonic Socrates if not *prosthe Platon opithen te Platon messe te Chimera*?[1]

191. The old theological problem of "believing" and "knowing"—or, to put the matter more clearly—of instinct and reason—as well as the question whether in assessing the value of things instinct deserves more authority than

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[1] *prosthe Platon … Chimera* Latin: Plato in front, Plato behind, and in the middle the Chimera.

rationality, which wants to assess and act according to reasons, according to a "Why?"—according to expediency and utility—it is always still that old moral problem, as it first appeared in the person of Socrates, which had already divided our minds long before Christianity.

Socrates, in fact, set himself, with a taste for his talent—which was that of a superior dialectical thinker—at first on the side of reason, and, in truth, what did he do his whole life long but laugh at the awkward inability of his noble Athenians, who were men of instinct, like all noble men, and who could never provide enough information about the reasons for their actions? Finally, however, in stillness and secret he also laughed at himself. With his more subtle conscience and self-enquiry he found in himself the same difficulty and inability. But, he said to himself, does that mean releasing oneself from instincts! We must give the instincts and reason the proper help. We must follow the instincts but convince reason to assist with good reasons. This was the real falsehood of that great ironist, so full of secrets. He brought his conscience to the point where it was satisfied with a kind of trick played on itself.

Socrates basically had seen through the irrational in moral judgments. Plato, who was more innocent in such things and without the mischievousness of a common man, wanted to use all his power—the greatest power which a philosopher up to that time had had at his command—to prove that reason and instinct inherently move to a single goal, to the good, to "God," and since Plato all the theologians and philosophers have been on the same road—that is, in things concerning morality up to now, instinct, or as the Christians call it "faith," or as I call it, "the herd," has triumphed. We must grant that Descartes is an exception, the father of rationalism (and thus the grandfather of the revolution), a man who conferred sole authority on reason. But reason is only a tool, and Descartes was superficial.

192. Anyone who has followed the history of a particular science finds in its development a textbook case for understanding the oldest and commonest event in all "knowing and perceiving." There, as here, the rash hypotheses, the fabrications, the good, stupid will to "believe," the lack of suspicion and of patience develop first of all—our senses learn late and never learn well enough to be subtle, true, and cautious organs of perception. With any given stimulus, our eyes find it more comfortable to produce once more an image which has already been produced frequently than to capture something different and new in an impression. To do the latter requires more power, more "morality." To listen to something new is embarrassing and hard on our ears; we hear strange music badly. When we hear some different language, we spontaneously try to reshape the sounds we hear into words which sound more familiar and native to us: that's how, for example, in earlier times, when the German heard the word *arcubalista* he changed it into *Armbrust.*[1]

Something new finds our senses hostile and reluctant, and in general, even with the "simplest" perceptual processes, the emotions like fear, love, hate, including the passive feeling of idleness, are in control. Just as a reader nowadays hardly reads all the individual words (or even syllables) on a page—he's much more likely to take about five words out of twenty and "guess" on the basis of these five words the presumed sense they contain—so we hardly look at a tree precisely and completely, considering the leaves, branches, color, and shape; we find it so very much easier to imagine an approximation of the tree.

Even in the midst of the most peculiar experiences we still act in the same way: we make up the greatest part of experiences for ourselves and are hardly ever compelled not to look upon any event as an "inventor." What this adds up to is that basically from time immemorial we have been accustomed to lie. Or to express the matter more virtuously and hypocritically, in short, more pleasantly: we are much more the artist than we realize.

In a lively conversation I often see the face of the person with whom I am speaking so clearly and subtly determined according to the idea which he expresses or which I think I have brought out in him that this degree of clarity far exceeds the power of my ability to see—the delicacy of the play of muscles and of the expression in his eyes must also be something I have added out of my own head. The person probably had a totally different expression or none at all.

193. *Quidquid luce fuit, tenebris agit*[2] but the other way around as well. What we experience in a dream, provided we experience it frequently, finally is as much a part of the collective household of our souls as anything "truly" experienced. Thanks to this, we are richer or poorer, have one more need or one less, and finally in the bright light of day

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[1] *arcubalista ... Armbrust* Both words, in Latin and German, mean "crossbow."

[2] *Quidquid ... agit* Latin: What goes on in the light, acts in the darkness.

and even in the brightest moments of our waking spirit we are ordered around a little by the habits of our dreams.

Suppose that an individual in his dreams has often flown and, finally, as soon as he dreams, becomes aware of the power and art of flying as his privilege and also as his own enviable happiness, such a man who believes he is capable of realizing every kind of curving or angled flight with the easiest impulse, who knows the feeling of a certain godlike carelessness, an "upward" without tension and compulsion, a "downward" without condescension and without humiliation—without difficulty—how should a man with such dream experiences and dream habits not also finally discover in his waking day that the word "happiness" has a different color and definition. How could he not want a different happiness? "A swing upward," as described by poets, for him must be, in comparison with that "flying," too earthbound, too muscular, too forceful, even too "heavy."

194. The difference between men does not manifest itself only in the difference between the tables of the goods they possess but also in the fact that they consider different goods worthy of striving for and that they are at odds among themselves about what is more or less valuable, about the rank ordering of the commonly acknowledged goods—the difference becomes even clearer in what counts for them as something really worth having and possessing.

So far as women are concerned, for example, a more modest man considers having at his disposal her body and sexual gratification as a satisfactory and sufficient sign of having, of possession. Another man, with his more suspicious and more discriminating thirst for possessions sees the "question mark," the fact that such a possession is only apparent, and wants a more refined test, above all, to know whether the woman not only gives herself to him but also for his sake gives up what she has or would like to have. Only that counts for him as "possessing." A third man, however, is at this point not yet finished with his suspicion and desire to possess. He asks himself if the woman, when she gives up everything for him, is doing this for something like a phantom of himself: he wants to be well known first, fundamentally, even profoundly, in order to be able to be loved. He dares to allow himself to be revealed. Only then does he feel that the loved one is fully in his possession, when she is no longer deceived about him, when she loves him just as much for his devilry and hidden insatiability as for his kindness, patience, and spirituality.

One man wants to possess a people: and all the higher arts of Cagliostro and Cataline he thinks appropriate for this purpose. Another, with a more refined thirst for possession, tells himself "One should not deceive where one wants to possess." He is irritable and impatient at the idea that a mask of him rules the hearts of his people: "Hence I must let myself be known and, first of all, learn about myself."

Among helpful and charitable men one finds almost regularly that crude hypocrisy which first prepares the person who should be helped, as if, for example, he "earns" help, wants precisely their help, and would show himself deeply thankful, devoted, and obsequious to them for all their help. With these fantasies they dispose of the needy as if they were property, as if they were charitable and helpful people out of a demand for property. One finds them jealous if one crosses them or anticipates them in their helping.

With their child, parents involuntarily act something like these helpers: they call it "an upbringing." No mother doubts at the bottom of her heart that with a child she has given birth to a possession; no father denies himself the right to be allowed to subjugate the child to his ideas and value judgments. In fact, in earlier times it seemed proper to the father to dispose of the life and death of newborns at his own discretion (as among the ancient Germans). And like the father, even today the teacher, the state, the priest, and the prince still see in each new man a harmless opportunity for a new possession. And from that follows....

195. The Jews—a people "born for slavery," as Tacitus and the entire ancient world said, "the chosen people among peoples," as they themselves said and believed—the Jews achieved the amazing feat of inverting values, thanks to which life on earth for two millennia has possessed a new and dangerous appeal. Their prophets fused "rich," "godless," "evil," "violent," and "sensuous" into a unity and for the first time coined the word "world" as a word connoting shame. In this inversion of value (to which belongs the use of the word for "poor" as a synonym for "holy" and "friend") lies the significance of the Jewish people: with them the slave condition in morality begins.

196. We can conclude that there are countless dark bodies in the region of our sun—bodies we will never see. Between us, that's a parable, and a psychologist of morality reads the entire writing in the stars only as a language of parable and sign language which allows a great deal to remain silent.

197. We fundamentally misunderstand predatory animals and predatory men, for example, Cesare Borgia, and we misunderstand "Nature," so long as we still look for a "pathology" at the bottom of these healthiest of all tropical monsters and growths or even for some "Hell" born in them, as almost all moralists so far have done. It seems that among moralists there is a hatred for the primaeval forest and the tropics? And the "tropical man" must at all accounts be discredited, whether as a sickness and degeneration of human beings or as his own hell and self-torture? But why? For the benefit of the "moderate zones"? For the benefit of the moderate human beings? The "moral human beings"? The mediocre? This for the chapter "morality as timidity."—

198. All these moralities that direct themselves at the individual person, for the sake of his "happiness," as people say—what are they except proposals about conduct in relation to the degree of danger in which the individual person lives with himself, recipes against his passions, his good and bad inclinations, to the extent that they may have a will to power and want to play the master; small and great clever sayings and affectations, afflicted with the musty enclosed smell of ancient household remedies or old women's advice, all baroque and unreasonable in form—because they direct themselves at "everything," because they generalize where we should not generalize—, all speaking absolutely, taking themselves absolutely, all spiced with more than one grain of salt, and much more bearable, sometimes even seductive, only when they learn to smell over-seasoned and dangerous, above all "about the other world."

By any intellectual standard, all that is worth little and still a far cry from "science," to say nothing of "wisdom," but, to say it again and to say it three times: prudence, prudence, prudence, mixed in with stupidity, stupidity, stupidity—whether it is now that indifference and coldness of a metaphorical statute against the hot-headed foolishness of the emotions, which the Stoics recommended and applied as a cure; or even that no-more-laughing and no-more-crying of Spinoza, his excessively naïve support for the destruction of the emotions through their analysis and vivisection; or that repression of the emotions to a harmless mean, according to which they should be satisfied, the Aristotelianism of morality; even morality as the enjoyment of emotions in a deliberate dilution and spiritualization through artistic symbolism, something like music or the love of god and of man for god's sake—for in religion the passions have civil rights once more, provided that—; and finally even that accommodating and wanton dedication to the emotions, as Hafis and Goethe taught, that daring permission to let go of the reins, that physical-spiritual *licentia morum*[1] in the exceptional examples of wise old owls and drunkards, for whom it "has little danger any more." This also for the chapter "morality as timidity."

199. Given that at all times, so long as there have been human beings, there have also been herds of human beings (racial groups, communities, tribes, peoples, states, churches) and always a great many followers in relation to the small number of those issuing orders, and taking into consideration also that so far nothing has been better and longer practiced and cultivated among human beings than obedience, we can reasonably assume that typically now the need for obedience is inborn in each individual, as a sort of formal conscience which states "You should do something or other without conditions, and leave aside something else without conditions," in short, "Thou shalt."

This need seeks to satisfy itself and to fill its form with some content. Depending on its strength, impatience, and tension, it seizes on something, without being very particular, like a coarse appetite, and accepts what someone or other issuing commands shouts in people's ears—parents, teachers, laws, class bias, public opinion. The curiously limited intelligence of human development—the way it hesitates, takes so long, often regresses, and turns around on itself—is based on the fact that the herd instinct of obedience is passed on best and at the expense of the art of commanding.

If we imagine this instinct for once striding right to its ultimate excess, then there would finally be a total lack of commanders and independent people, or they would suffer inside from a bad conscience and find it necessary to prepare a deception for themselves in order to be able to command, as if they, too, were only obeying orders. This condition is what, in fact, exists nowadays in Europe: I call it the moral hypocrisy of those in command. They don't know how to protect themselves from their bad conscience except by behaving as if they were carrying out older or higher orders (from ancestors, the constitution, rights, law, or even God), or they even borrow maxims of the herd and from the herd way of thinking, for example, as "the first servant of their people" or as "tools of the common good."

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[1] *licentia morum* Latin: freedom in behavior.

On the other hand, the herd man in Europe today makes himself appear as if he is the single kind of human being allowed, and he glorifies those characteristics of his thanks to which he is tame, good natured, and useful to the herd as the really human virtues, as well as public spiritedness, wishing everyone well, consideration, diligence, moderation, modesty, forbearance, and compassion. For those cases, however, where people believe they cannot do without a leader and bellwether,[1] they make attempt after attempt to replace the commander by adding together collections of clever herd people. All the representative constitutional assemblies, for example, have this origin.

But for all that, what a blissful relief, what a release from a pressure which is growing unbearable is the appearance of an absolute commander for these European herd animals. The effect which the appearance of Napoleon made was the most recent major evidence for that:—the history of the effect of Napoleon is almost the history of the higher happiness which this entire century derived from its most valuable men and moments.

200. The man from an age of dissolution, which mixes the races all together, such a man has an inheritance of a multiple ancestry in his body, that is, conflicting and frequently not merely conflicting drives and standards of value which war among themselves and rarely give each other rest—such a man of late culture and disturbed lights will typically be a weaker man. His most basic demand is that the war which constitutes him should finally end. Happiness seems to him, in accordance with a calming medicine and way of thinking (for example, Epicurean[2] or Christian), principally the happiness of resting, of having no interruptions, of smugness, of the final unity, as the "Sabbath of Sabbaths," to use the words of the saintly rhetorician Augustine,[3] who was himself such a man.

But if the opposition and war in such a nature work like one more charm or thrill in life and bring, in addition to its powerful and irreconcilable drives, also the real mastery and refinement in waging war with itself, and thus transmit and cultivate self-ruling and outwitting of the self, then arise those delightfully amazing and unimaginable people, those enigmatic men predestined for victory and temptation, whose most beautiful expressions are Alcibiades[4] and Caesar (in their company I'd like to place the first European, according to my taste, the Hohenstaufer Frederick II),[5] and among artists perhaps Leonardo da Vinci. They appear precisely in the same ages when that weaker type, with its demands for quiet, steps into the foreground—both types belong with one another and arise from the same causes.

201. As long as the utility which rules in moral value judgments is merely the utility of the herd, as long as our gaze is directed only at the preservation of the community and what is precisely and conclusively immoral is sought in what appears dangerous to the survival of the community, there can be no "morality of loving one's neighbor." Assuming there existed in society already a constant small habit of consideration, compassion, fairness, kindness, and mutual assistance, assuming that in this condition of society all these drives were already active which later were described with honorable names as "virtues" and which finally were almost synonymous with the idea "morality": at that time they are not at all yet in the realm of moral value judgments—they are still outside morality. For example, a compassionate action in the best Roman period was called neither good nor evil, neither moral nor immoral. And even if it was praised, this praise brought with it at best still a kind of reluctant disdain, as soon as it was compared with any other action which served the demands of the totality, of the *res publica*.[6]

Ultimately the "love of one's neighbor"[7] is always something of minor importance, partly conventional, arbitrary, and apparent in relation to the fear of one's neighbor. After the structure of society in its entirety is established and appears secure against external dangers, it is this fear of one's neighbors which creates once again new perspectives of moral value judgments. Certain strong and dangerous instincts, like a love of enterprise, daring, desire for revenge, shiftiness, rapacity, desire for mastery, which up to this point were not only honored in a sense useful to the community, under different names, of course, from those chosen here, but also had to be really inculcated and cultivated (because people constantly needed them for the dangers to the totality, against the enemy of that totality)—these are now experienced as doubly dangerous when there is a lack of diversionary channels for them—and they are gradually abandoned, branded as immoral and slanderous.

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[1] *bellwether* Sheep that lead the flock.

[2] *Epicurean* Associated with the school of philosophy founded by Epicurus (341–270 BCE), which identified good and bad with pleasure and pain.

[3] *Augustine* Augustine of Hippo (354–430), one of the founding figures in the history of Christianity.

[4] *Alcibiades* Athenian statesman and general (c. 450–404 BCE).

[5] *Hohenstaufer Frederick II* Medieval German emperor, 1215–50.

[6] *res publica* Latin: state or republic.

[7] *love … neighbor* "Thou shalt love thy neighbor as thyself," Matthew 19.19.

Now the opposing impulses and inclinations acquire moral honor. The herd instinct draws its conclusions, step by step. How much or how little something is dangerous to the community, dangerous to equality, in an opinion, in a condition and emotion, in a will, in a talent, that is now the moral perspective. Here also fear is once again the mother of morality. When the highest and strongest drives break out passionately and impel the individual far above and beyond the average and low level of the herd's conscience, the feeling of commonality in the community is destroyed; its belief in itself, its spine, as it were, breaks: as a result people brand these very drives the most and slander them. The high independent spirituality, the will to stand alone, even powerful reasoning are experienced as a danger. Everything which lifts the individual up over the herd and creates fear of one's neighbor from now on is called evil. The proper, modest, conforming faith in equality and mediocrity in desire take on the name of morality and honor.

Finally, under very peaceful conditions, there is an increasing lack of opportunity and need to educate the feelings in strength and hardness. Now every strength, even justice, begins to disrupt the conscience. A high and hard nobility and self-responsibility are almost an insult and awaken mistrust; "the lamb" and even more "the sheep" acquire respect.

There is a point of decay and decadence in the history of society when it itself takes sides on behalf of the person who harms it, the criminal, and does so, in fact, seriously and honestly. Punishment: that seems to society somehow or other unreasonable. What's certain is that the idea of "punishment" and "We should punish" causes it distress, arouses fear. "Is it not enough to make him undangerous? Why still punish? To punish is itself dreadful!" With this question the morality of the herd, the morality of timidity, draws its last consequence. Assuming people could do away with the danger, the basis of the fear, then people would have done away with this morality: it would be no longer necessary; it would no longer consider itself necessary.

Whoever tests the conscience of the contemporary European will always have to pull out from the thousand moral folds and hiding places the same imperative, the imperative of the timidity of the herd: "Our wish is that at some point or other there is nothing more to fear!" At some point or other—nowadays the will and the way there everywhere in Europe are called "progress."

202. Let us state right away one more time what we have already said a hundred times, for today's ears don't listen willingly to such truths—to our truths. We already know well enough how insulting it sounds when an individual reckons human beings in general plain and simply (without metaphor) among the animals, but one thing will make people consider us almost guilty, the fact that we, so far as men of "modern ideas" are concerned, constantly use the terms "herd," "herd instincts," and the like. What help is there? We cannot do anything else: for precisely here lies our new insight.

We have found that in all major moral judgments Europe, together with those countries where Europe's influence dominates, has become unanimous. People in Europe apparently know what Socrates thought he didn't know[1] and what that famous old snake[2] once promised to teach: today people "know" what good and evil are. Now, it must ring hard and badly on their ears when we keep claiming all the time that what here thinks it knows, what here glorifies itself with its praise and censure and calls itself good, is the instinct of the herd animal man, which has come to break through, to overpower, and to dominate other instincts—and continues increasingly to do so, in accordance with the growing physiological assimilation and homogeneity, whose symptom it is.

Morality today in Europe is the morality of the herd animal—thus only, as we understand the matter, one kind of human morality, alongside which, before which, and after which there are many other possible moralities, above all higher ones, or there should be. Against such a "possibility," in opposition to such a "should be," however, this morality turns itself with all its force: it says stubbornly and relentlessly, "I am morality itself, and nothing outside me is moral"—in fact, with the help of a religion which was willed by and which catered to the most sublime desires of the herd animal, it has reached the point where we find even in the political and social arrangements an always visible expression of this morality: the democratic movement has come into the inheritance of the Christian movement.

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[1] *Socrates … know* Plato reports in his dialogue *The Apology* that the Oracle at Delphi pronounced Socrates (c. 470–399 BCE) the wisest man in Greece because he alone knew that he did not possess knowledge.

[2] *famous … snake* Serpent who convinced Eve to eat the fruit from the tree of the knowledge of good and evil. Genesis 3.1–6.

But the fact is that its tempo is still much too slow and drowsy for the impatient, the sick, and those addicted to the above-mentioned instincts—evidence for that comes from the wailing, which grows constantly more violent, and the increasingly open snarling fangs of the anarchist hounds who now swarm through the alleys of European culture, apparently in contrast to the peacefully industrious democrats and ideologues of the revolution, even more to the foolish pseudo-philosophers and those ecstatic about brotherhood, who call themselves socialists and want a "free society."

But in reality these anarchists are at one with all of them in their fundamental and instinctive hostility to every other form of society than the autonomous herd (all the way to the rejection of the very idea of "master" and "servant"—*ni dieu ni maître*[1] is the way one socialist formula goes—); at one in their strong resistance to all special claims, all special rights and privileges (that means, in the last analysis, every right, for when all people are equal, then no one needs "rights" any more); at one in their mistrust of a justice which punishes (as if it were a violation of the weaker people, a wrong against the necessary consequences of all earlier society—); and equally at one in the religion of compassion, of sympathy, wherever there is feeling, living, and suffering (right down to the animals, right up to "God":—the excessive outpouring of "sympathy with God" belongs to a democratic age—); at one collectively in their cries for and impatience in their pity, in their deadly hatred for suffering generally, in their almost feminine inability to stand there as spectators, to let suffering happen; at one in their involuntary gloom and softness, under whose spell Europe seems threatened by a new Buddhism; at one in their faith in the morality of mutual compassion, as if that was morality in and of itself, as the height, the attained height of humanity, the sole hope of the future, the means of consolation for the present, the great absolution from the guilt of earlier times; all together at one in their belief in the community as their savior, thus in the herd, in themselves ...

203. Those of us who have a different belief, who do not consider the democratic movement merely a degenerate form of political organization but a degenerate form of humanity, that is, as something that diminishes humanity, makes it mediocre and of lesser worth, where must we reach out to with our hopes?

There's no choice: we must reach for new philosophers, for spirits strong and original enough to provide the stimuli for an opposing way of estimating value and to re-evaluate and invert "eternal values," for those sent out as forerunners, for men of the future who at the present time take up the compulsion and the knot which forces the will of the millennia into new paths. To teach man the future of humanity as his will, as dependent on a man's will, and to prepare for great exploits and comprehensive attempts at discipline and cultivation, so as to put an end to that horrifying domination of nonsense and contingency which up to now has been called "history"—the nonsense of the "greatest number" is only its latest form. For that some new type of philosophers and commanders will at some point be necessary, at the sight of which all hidden, fearsome, and benevolent spirits on earth may well look pale and dwarfish. The image of such a leader is what hovers before our eyes: may I say that out loud, you free spirits?

The conditions which we must partly create and partly exploit for the origin of these leaders, the presumed ways and trials thanks to which a soul might grow to such height and power to feel the compulsion for these tasks, a revaluation of value under whose new pressure and hammer a conscience would be hardened, a heart transformed to bronze, so that it might endure the weight of such responsibility and, on the other hand, the necessity for such leaders, the terrifying danger that they might not appear or could fail and turn degenerate—those are our real worries, the things that make us gloomy. Do you know that, you free spirits? Those are the heavy, distant thoughts and thunderstorms which pass over the heaven of our lives.

There are few pains as severe as having once seen, guessed, and felt how an extraordinary man goes astray and degenerates: someone who has the rare eye for the overall danger that "man" himself is degenerating, someone who, like us, has recognized the monstrous accident which has played its game up to this point with respect to the future of humanity—a game in which there is no hand and not even a "finger of god" playing along!—someone who guesses the fate which lies hidden in the idiotic innocence and the blissful trust in "modern ideas," and even more in the entire Christian-European morality, such a man suffers from an anxiety which cannot be compared with any other—with one look, in fact, he grasps everything that still might be cultivated in man, given a favorable combination and increase of powers and tasks; he knows with all the knowledge of his conscience how the greatest possibilities for man are still inexhaustible and how often the type man has already stood up to mysterious decisions and new paths: he knows even better, from his own painful memory, what wretched things have so far usually broken apart a being of the highest rank, shattered him, sunk him, and made him pathetic.

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[1] *ni dieu ni maître* French: neither god nor master.

The overall degeneration of man, down to what nowadays shows up as the socialist fool and flat head, as their "man of the future," as their ideal!—this degeneration and diminution of man to a perfect herd animal (or, as I put it, to a man of "free society"), this beastialization of man into a dwarf animal of equal rights and claims is possible—no doubt of that! Anyone who has once thought this possibility through to the end understands one more horror than the remaining men—and perhaps a new task, as well!...

from *Part Nine: What Is Noble?*

257. Every enhancement in the type "man" up to this point has been the work of an aristocratic society—and that's how it will always be, over and over again—a society which believes in a long scale of rank ordering and differences in worth between man and man and which, in some sense or other, requires slavery. Without the pathos of distance, the sort which grows out of the deeply rooted difference between the classes, out of the constant gazing outward and downward of the ruling caste on the subjects and work implements, and out of its equally sustained practice of obedience and command, holding down and holding at a distance, that other more mysterious pathos would have no chance of growing at all, that longing for an ever-widening of new distances inside the soul itself, the development of ever higher, rarer, more distant, more expansive, more comprehensive states, in short, that very enhancement in the type "man," the constant "self-conquest of man," to cite a moral formula in a supra-moral sense.

Of course, where the history of the origins of aristocratic society is concerned (and thus the precondition for that raising of the type "man"), we should not surrender to humanitarian illusions: truth is hard. So without further consideration, let's state how up to this point every higher culture on earth has started! Men with a still natural nature, barbarians in every dreadful sense of the word, predatory men still in possession of an unbroken power of the will and a desire for power, threw themselves on weaker, more civilized, more peaceful, perhaps trading or cattle-raising races, or on old, worn cultures, in which at that very moment the final forces of life were flaring up in a brilliant fireworks display of spirit and corruption. At the start the noble caste has always been the barbarian caste: its superiority has lain not primarily in physical might but in spiritual power—it has been a matter of more complete human beings (which at every level also means "more complete beasts").

258. Corruption as the expression of the fact that within the instincts anarchy is threatening and that the foundation of the affects, what we call "life," has been shaken: according to the living structure in which it appears, corruption is something fundamentally different. When, for example, an aristocracy, like France's at the start of the Revolution, throws away its privileges with a sublime disgust and sacrifices itself to a dissipation of its moral feelings, this is corruption. Essentially it was only the final act in that centuries-long corruption, thanks to which step-by-step it gave up its ruling authority and reduced itself to a function of the monarchy (finally even to the monarch's finery and display pieces).

But the essential thing in a good and healthy aristocracy is that it feels itself not as a function (whether of a monarchy or of a community) but as their significance and highest justification, that it therefore with good conscience accepts the sacrifice of an enormous number of men, who for its sake must be oppressed and reduced to incomplete men, slaves, and instruments of work. Its fundamental belief must, in fact, be that the society should exist, not for the sake of the society, but only as a base and framework on which an exceptional kind of nature can raise itself to its higher function and, in general, to a higher form of being, comparable to those heliotropic climbing plants on Java—people call them *Sipo Matador*[1]—*whose branches clutch an oak tree so much and for so long until finally, high over the tree but supported by it, they can unfold their crowns in the open light and make a display of their happiness.*

259. Mutually refraining from wounding each other, from violence, and from exploitation, and setting one's will on the same level as others—these can in a certain crude sense become good habits among individuals, if conditions exist for that (namely, a real similarity in the quality of their power and their estimates of value, as well as their belonging together within a single body). However, as soon as people wanted to take this principle further and, where possible,

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[1] *Sipo Matador* Murdering Creeper.

establish it as the basic principle of society, it immediately revealed itself for what it is, as the willed denial of life, as the principle of disintegration and decay.

Here we must think through to the basics and push away all sentimental weakness: living itself is essentially appropriation from and wounding and overpowering strangers and weaker men, oppression, hardness, imposing one's own forms, annexing, and at the very least, in its mildest actions, exploitation. But why should we always use these precise words, which have from ancient times carried the stamp of a slanderous purpose? Even that body in which, as previously mentioned, the individuals deal with each other as equals—and that happens in every healthy aristocracy—must itself, if it is a living body and not dying out, do to other bodies all those things which the individuals in it refrain from doing to each other: it will have to be the living will to power, it will grow, grab things around it, pull to itself, and want to acquire predominance—not because of some morality or immorality, but because it is alive and because living is precisely the will to power.

But in no point is the common consciousness of the European more reluctant to be instructed than here. Nowadays people everywhere, even those in scientific disguises, are raving about the coming conditions of society from which "the exploitative character" is to have disappeared. To my ears that sounds as if people had promised to invent a life which abstained from all organic functions. The "exploitation" is not part of a depraved or incomplete and primitive society: it belongs in the essential nature of what is living, as a basic organic function. It is a consequence of the real will to power, which is precisely the will to live. Granted that this is something new as a theory, but it is, in reality, the fundamental fact of all history: we should at least be honest with ourselves to this extent!

260. As the result of a stroll though the many more sophisticated and cruder moral systems which up to this point have ruled or still rule on earth, I found certain characteristics routinely return with each other, bound up together, until finally two basic types revealed themselves to me and a fundamental difference sprang up. There is master morality and slave morality. To this I immediately add that in all higher and mixed cultures attempts at a mediation between both moralities make an appearance as well as, even more often, a confusion and mutual misunderstanding between the two, in fact, sometimes their harsh juxtaposition, even in the same man, within a single soul.

Distinctions in moral value have arisen either among a ruling group, which was happily conscious of its difference with respect to the ruled, or among the ruled, the slaves and dependent people of every degree. In the first case, when it's the masters who establish the idea of the good, it's the elevated and proud conditions of the soul which emotionally register as the distinguishing and defining order of rank. The noble man separates his own nature from that of people in whom the opposite of such exalted and proud states expresses itself. He despises them.

We should notice at once that in this first kind of morality the opposites "good" and "bad" mean no more than "noble" and "despicable." The opposition between "good" and "evil" has another origin. The despised one is the coward, the anxious, the small, the man who thinks about narrow utility—also the suspicious man with his inhibited look, the self-abasing man, the species of human dogs who allow themselves to be mistreated, the begging flatterer, above all, the liar. It is a basic belief of all aristocrats that the common folk are liars. "We tellers of the truth"—that's what the nobility called themselves in ancient Greece. It's evident that distinctions of moral worth everywhere were first applied to men and later were established for actions; hence, it is a serious mistake when historians of morality take as a starting point a question like "Why was the compassionate action praised?"

The noble kind of man experiences himself as a person who determines value and does not need to have other people's approval. He makes the judgment "What is harmful to me is harmful in itself." He understands himself as something which in general first confers honor on things, as someone who creates values. Whatever he recognizes in himself he honors. Such a morality is self-glorification. In the foreground stands the feeling of fullness and power, which wants to overflow, the happiness of high tension, the consciousness of riches which wants to give and deliver; the noble man also helps the unfortunate, but not, or hardly ever, from pity, more in response to an impulse which the excess of power produces.

The noble man honors the powerful man in himself and also the man who has power over himself, who understands how to speak and how to keep silent, who takes delight in dealing with himself severely and toughly and respects, above all, severity and toughness. "Wotan[1] set a hard heart in my breast," it says in an old Scandinavian saga: that's how poetry emerged, with justice, from the soul of a proud Viking. A man of this sort is even proud of the fact that he has not been made for compassion. That's why the hero of the saga adds a warning, "In a man whose heart is not hard when he is still young the heart will never become hard." Noble and brave men who think this way are furthest removed from that morality which sees the badge of morality in pity or actions for others or *désintéressement*;[1] the belief in oneself, pride in oneself, a fundamental hostility and irony against "selflessness" clearly belong to noble morality, just as much as an easy contempt and caution before feelings of compassion and a "warm heart."

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[1] *Wotan* Chief of the Norse gods, also known as Odin.

Powerful men are the ones who understand how to honor—that is their art, their realm of invention. The profound reverence for age and for tradition—all justice stands on this double reverence—the belief and the prejudice favoring ancestors and working against newcomers are typical in the morality of the powerful, and when, by contrast, the men of "modern ideas" believe almost instinctively in "progress" and the "future" and an ever-increasing lack of respect for age, then in that attitude the ignoble origin of these "ideas" reveals itself well enough.

However, a morality of the rulers is most alien and embarrassing to the present taste because of the severity of its basic principle that man has duties only with respect to those like him, that man should act towards those beings of lower rank, towards everything strange, at his own discretion, "as his heart dictates," and, in any case, "beyond good and evil." Here pity and things like that may belong. The capacity for and obligation to a long gratitude and a long revenge—both only within the circle of those like oneself—the sophistication in paying back again, the refined idea in friendship, a certain necessity to have enemies (as, so to speak, drainage ditches for the feelings of envy, quarrelsomeness, and high spirits—basically in order to be capable of being a good friend): all those are typical characteristics of a noble morality, which, as indicated, is not the morality of "modern ideas" and which is thus nowadays difficult to sympathize with, as well as difficult to dig up and expose.

Things are different with the second type of moral system, slave morality. Suppose the oppressed, depressed, suffering, and unfree people, those ignorant of themselves and tired out, suppose they moralize: what will be the common feature of their moral estimates of value? Probably a pessimistic suspicion directed at the entire human situation will express itself, perhaps a condemnation of man, along with his situation. The gaze of a slave is not well disposed towards the virtues of the powerful; he possesses skepticism and mistrust; he has a subtlety of mistrust against everything "good" and what is honored in it; he would like to persuade himself that even happiness is not genuine there.

By contrast, those characteristics will be pulled forward and flooded with light which serve to mitigate existence for those who suffer: here respect is given to pity, to the obliging hand ready to help, to the warm heart, to patience, diligence, humility, and friendliness, for these are the most useful characteristics and almost the only means to endure the pressure of existence. Slave morality is essentially a morality of utility. Here is the focus for the origin of that famous opposition of "good" and "evil": power and danger are felt within evil itself, a certain terror, subtlety, and strength, which does not permit contempt to spring up. According to slave morality, the "evil" man thus inspires fear; according to master morality, it is precisely the "good" man who inspires and will inspire fear, while the "bad" man will be felt as despicable.

This opposition reaches its peak when, in accordance with the consequences of slave morality, finally a trace of disregard is also attached to the "good" of this morality—it may be light and benevolent—because within the way of thinking of the slave the good man must definitely be an harmless man: he is good natured, easy to deceive, perhaps a bit stupid, a *bonhomme*.[2] Wherever slave morality gains predominance the language reveals a tendency to bring the words "good" and "stupid" into closer proximity. A final basic difference: the longing for freedom, the instinct for happiness and the refinements of the feeling for freedom belong just as necessarily to slave morality and morals as art and enthusiasm in reverence and devotion are the regular symptoms of an aristocratic way of thinking and valuing. From this we can without further ado understand why love as passion—which is our European specialty—must clearly have a noble origin: as is well known, its invention belongs to the Provencal knightly poets, those splendidly inventive men of the "*gay saber*"[3] to whom Europe owes so much—almost its very self.

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[1] *désintéressement* French: selflessness.

[2] *a bonhomme* French: a good human being.

[3] *gay saber* Provençal: Gay science.

On the Genealogy of Morals

from *First Essay: Good and Evil, Good and Bad*

1

These English psychologists whom we have to thank for the only attempts up to this point to produce a history of the origins of morality—in themselves they serve up to us no small riddle. In the way of a lively riddle, they even offer, I confess, something substantially more than their books—they are interesting in themselves! These English psychologists—what do they really want? We find them, willingly or unwillingly, always at the same work, that is, hauling the *partie honteuse*[1] of our inner world into the foreground, in order to look right there for the truly effective and operative force which has determined our development, the very place where man's intellectual pride least wishes to find it (for example, in the *vis inertiae*[2] of habit or in forgetfulness or in a blind, contingent, mechanical joining of ideas or in something else purely passive, automatic, reflex, molecular, and completely stupid)—what is it that really drives these psychologists always in this particular direction?

Is it a secret, malicious, common instinct (perhaps one which is self-deceiving) for belittling humanity? Or something like a pessimistic suspicion, the mistrust of idealists who've become disappointed, gloomy, venomous, and green. Or a small underground hostility and rancor towards Christianity (and Plato), which perhaps has never once managed to cross the threshold of consciousness? Or even a lecherous taste for what is odd or painfully paradoxical, for what in existence is questionable and ridiculous? Or finally a bit of all of these—a little vulgarity, a little gloominess, a little hostility to Christianity, a little thrill, and a need for pepper?...

But people tell me that these men are simply old, cold, boring frogs, who creep and hop around people as if they were in their own proper element, that is, in a swamp. I resist that idea when I hear it. What's more, I don't believe it. And if one is permitted to hope where one cannot know, then I hope from my heart that the situation with these men could be reversed, that these investigators peering at the soul through their microscopes could be thoroughly brave, generous, and proud animals, who know how to control their hearts and their pain and who have educated themselves to sacrifice everything desirable for the sake of the truth, for the sake of every truth, even the simple, the bitter, the hateful, the repellent, the unchristian, the unmoral truth.... For there are such truths.—

2

So all respect to the good spirits that may govern in these historians of morality! But it's certainly a pity that they lack the historical spirit itself, that they've been left in the lurch by all the good spirits of history! Collectively they all think essentially unhistorically, in what is now the traditional manner of philosophers. Of that there is no doubt. The incompetence of their genealogies of morals reveals itself at the very beginning, where the issue is to determine the origin of the idea and of the judgment "good."

"People," so they proclaim, "originally praised unegoistic actions and called them good from the perspective of those for whom they were done, that is, those for whom such actions were useful. Later people forgot how this praise began, and because unegoistic actions had, according to custom, always been praised as good, people then simply felt them as good, as if they were something inherently good."

We see right away that this initial derivation already contains all the typical characteristics of the idiosyncrasies of English psychologists—we have "usefulness," "forgetting," "habit," and finally "error," all as the foundation for an evaluation in which the higher man up to this time has taken pride, as if it were a sort of privilege of men generally. This pride should be humbled, this evaluation of worth emptied of value. Has that been achieved?

Now, first of all, it's obvious to me that from this theory the origin of the idea "good" has been sought for and established in the wrong place: the judgment "good" did not move here from those to whom "goodness" was shown! It is much more that case that the "good people" themselves, that is, the noble, powerful, higher-ranking, and higher-thinking people felt and set themselves and their actions up as good, that is to say, of the first rank, in contrast to everything low, low-minded, common, and vulgar. From this pathos of distance they first arrogated to themselves the right to create values, to stamp out the names for values. What did they care about usefulness!

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[1] *partie honteuse* French: shameful part.

[2] *vis inertiae* Latin: force of inertia.

In relation to such a hot pouring out of the highest rank-ordering, rank-setting judgments of value, the point of view which considers utility is as foreign and inappropriate as possible. Here the feeling has reached the opposite of that low level of warmth which is a condition for that calculating shrewdness, that calculation by utility—and not just for a moment, not for an exceptional hour, but permanently. The pathos of nobility and distance, as mentioned, the lasting and domineering feeling, something total and complete, of a higher ruling nature in relation to a lower nature, to a "beneath"—that is the origin of the opposition between "good" and "bad." (The right of the master to give names extends so far that we could permit ourselves to grasp the origin of language itself as an expression of the power of the rulers: they say "that is such and such," seal every object and event with a sound and, in the process, as it were, take possession of it.)

Given this origin, the word "good" was not in any way necessarily tied up with "unegoistic" actions, as it is in the superstitions of those genealogists of morality. Rather, that occurs for the first time with the collapse of aristocratic value judgments, when this entire contrast between "egoistic" and "unegoistic" pressed itself ever more strongly into human awareness—it is, to use my own words, the instinct of the herd which, through this contrast, finally gets its word (and its words). And even so, it took a long time until this instinct in the masses became master, with the result that moral evaluation got thoroughly hung up and bogged down on this opposition (as is the case, for example, in modern Europe: today the prejudice that takes "moralistic," "unegoistic," and "*désintéressé*"[1] as equally valuable ideas already governs, with the force of a "fixed idea" and a disease of the brain).

3

Secondly, however, and quite separate from the fact that this hypothesis about the origin of the value judgment "good" is historically untenable, it suffers from an inherent psychological contradiction. The utility of the unegoistic action is supposed to be the origin of the praise it receives, and this origin has allegedly been forgotten: but how is this forgetting even possible? Could the usefulness of such actions at some time or other perhaps just have stopped? The case is the opposite: this utility has rather been an everyday experience throughout the ages, and thus something that has always been constantly re-emphasized. Hence, instead of disappearing out of consciousness, instead of becoming something forgettable, it must have pressed itself into the consciousness with ever-increasing clarity.

How much more sensible is the contrasting theory (which is not therefore closer to the truth), for example, the one which is advocated by Herbert Spencer:[2] he proposes that the idea "good" is essentially the same as the idea "useful" or "functional," so that in judgments about "good" and "bad" human beings sum up and endorse the experiences they have not forgotten and cannot forget concerning the useful-functional and the harmful-useless. According to this theory, good is something which has always proved useful, so that it may assert its validity as "valuable in the highest degree" or as "valuable in itself." This path to an explanation is, as mentioned, also false, but at least the account itself is sensible and psychologically tenable.

4

I was given a hint of the right direction by this question: What, from an etymological perspective, do the meanings of "Good" as manifested in different languages really mean? There I found that all of them lead back to the same transformation of ideas, that everywhere "noble" or "aristocratic" in a social sense is the fundamental idea out of which "good" in the sense of "spiritually noble," "aristocratic," "spiritually high-minded," "spiritually privileged" necessarily develop—a process which always runs in parallel with that other one which finally transforms "common," "vulgar," and "low" into the concept "bad." The most eloquent example of the latter is the German word "*schlect*"[3] itself—which is identical with the word "*schlicht*"[4]—compare "*schlectweg*"[5] and "*schlechterdings.*"[6] Originally these words designated the plain, common man, but without any suspicious side glance, simply in contrast to the nobility. Around the time of the Thirty Years War[7] approximately—hence late enough—this sense changed into the one used now.

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[1] *désinteressé* French: selfless.

[2] *Herbert Spencer* English philosopher (1820–1903) famous for endeavoring to apply Darwin's theory of evolution to many fields, including ethics.

[3] *schlect* German: bad.

[4] *schlicht* German: plain.

[5] *schlectweg* German: quite simply.

[6] *schlechterdings* German: simply.

[7] *Thirty Years War* War between Protestant and Catholic nations between 1618 and 1648, involving most of the major European powers of the time.

As far as the genealogy of morals is concerned, this point strikes me as a fundamental insight—that it was first discovered so late we can ascribe to the repressive influence which democratic prejudice in the modern world exercises over all questions of origin. And this occurs in what appears to be the most objective realm of natural science and physiology, a point which I can only hint at here. But the sort of mischief this prejudice can cause, once it has become unleashed as hatred, particularly where morality and history are concerned, is revealed in the well-known case of Buckle:[1] the plebeian nature of the modern spirit, which originated in England, broke out once again on its home turf, as violently as a muddy volcano and with the same salty, overloud, and common eloquence with which all previous volcanoes have spoken.

[…]

6

From this rule that the concept of political superiority always resolves itself into the concept of spiritual priority, it is not really an exception (although there is room for exceptions), when the highest caste is also the priest caste and consequently for its total range of meanings prefers a scale of values which recalls its priestly function. So, for example, for the first time the words "pure" and "impure" appear as marks of one's social position and later a "good" and a "bad" develop which no longer refer to social position.

Incidentally, people should be warned not to take these ideas of "pure" and "impure" from the outset too seriously, too broadly, or even symbolically. All the ideas of ancient humanity are initially to be understood to a degree we can hardly imagine, much more as coarse, crude, superficial, narrow, blunt and, in particular, unsymbolic. The "pure man" is from the start simply a man who washes himself, who forbids himself certain foods which produce diseases of the skin, who doesn't sleep with the dirty women of the lower people, who has a horror of blood—no more, not much more!

On the other hand, from the very nature of an essentially priestly aristocracy it is clear enough how even here early on the opposition between different evaluations could become dangerously internalized and sharpened. And in fact they finally ripped open fissures between man and man, over which even an Achilles of the free spirit could not cross without shivering. From the very beginning there is something unhealthy about such priestly aristocracies and about the customary attitudes which govern in them, which turn away from action, sometimes brooding, sometimes exploding with emotion, as a result of which in the priests of almost all ages there have appeared almost unavoidably debilitating intestinal illness and neurasthenia.[2]

But what they themselves came up with as a remedy for this pathological disease—surely we can assert that it has finally shown itself, through its effects, as even a hundred times more dangerous than the illness for which it was meant to provide relief. Human beings are still sick from the after-effects of this priestly naïveté in healing! Let's think, for example, of certain forms of diet (avoiding meat), of fasting, of celibacy, of the flight "into the desert" (Weir Mitchell's isolation,[3] but naturally without the fattening up cure and overeating which follow it—a treatment which constitutes the most effective treatment for all hysteria induced by the ideals of asceticism): consider also the whole metaphysic of the priests—so hostile to the senses, making men so lazy and sophisticated—or the way they hypnotize themselves in the manner of fakirs and Brahmins—Brahmanism employed as a glass head and a fixed idea. Consider finally the only too understandable and common dissatisfaction with its radical cure, with nothingness (or God—the desire for a *unio mystica*[4] with God is the desire of the Buddhist for nothingness, nirvana—nothing more!).

Among the priests, everything mentioned above becomes more dangerous—not only the remedies and arts of healing, but also pride, vengeance, mental acuity, excess, love, thirst for power, virtue, illness—although it's fair enough to add that on the foundation of this basically dangerous form of human existence, the priest, for the first time the human being became, in general, an interesting animal, that here the human soul first attained depth in a higher sense and became evil—and, indeed, these are the two fundamental reasons for humanity's superiority, up to now, over other animals.

7

You will have already guessed how easily the priestly way of evaluating could split from the knightly-aristocratic and then continue to develop into its opposite. Such a development receives a special stimulus every time the priest caste and the warrior caste confront each other jealously and are not willing to agree about the winner. The knightly-aristocratic judgments of value have as their basic assumption a powerful physicality, a blooming, rich, even overflowing health, together with those things which are required to maintain these qualities—war, adventure, hunting, dancing, war games, and in general everything which involves strong, free, happy action. The priestly-noble method of evaluating has, as we saw, other preconditions: these make it difficult enough for them when it comes to war!

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[1] *Buckle* Henry Thomas Buckle, English historian (1821–62), author of *History of Civilization* (1857).

[2] *neurasthenia* Psychic disorder characterized by chronic fatigue, weakness, aches and pains.

[3] *Weir Mitchell's isolation* Cure developed by American doctor Silas Weir Mitchell (1829–1914) for nervous disorders; it involved weeks or even months of enforced rest in bed.

[4] *unio mystica* Latin: mystical union.

As is well known, priests are the most evil of enemies—but why? Because they are the most powerless. From their powerlessness, their hate grows into something immense and terrifying, to the most spiritual and most poisonous manifestations. Those who have been the greatest haters in world history and the most spiritually rich haters have always been the priests—in comparison with the spirit of priestly revenge all the remaining spirits are, in general, hardly worth considering. Human history would be a really stupid affair without that spirit which entered it from the powerless.

Let us quickly consider the greatest example. Everything on earth which has been done against "the nobility," "the powerful," "the masters," "the possessors of power" is not worth mentioning in comparison with what the Jews have done against them—the Jews, that priestly people who knew how to get final satisfaction from their enemies and conquerors through a radical transformation of their values, that is, through an act of the most spiritual revenge. This was appropriate only to a priestly people with the most deeply rooted priestly desire for revenge.

In opposition to the aristocratic value equations (good = noble = powerful = beautiful = fortunate = loved by god), the Jews, with a consistency inspiring fear, dared to reverse it and to hang on to that with the teeth of the most profound hatred (the hatred of the powerless), that is, to "only those who suffer are good; the poor, the powerless, the low are the only good people; the suffering, those in need, the sick, the ugly are also the only pious people; only they are blessed by God; for them alone there is salvation. By contrast, you privileged and powerful people, you are for all eternity the evil, the cruel, the lecherous, the insatiable, the godless—you will also be the unblessed, the cursed, and the damned for all eternity!"... We know who inherited this Judaic transformation of values ...

In connection with that huge and immeasurably disastrous initiative which the Jews launched with this most fundamental of all declarations of war, I recall the sentence I wrote at another time (in *Beyond Good and Evil*, section 195)—namely, that with the Jews the slave condition in morality begins: that condition which has a two-thousand-year-old history behind it and which we nowadays no longer notice because it has triumphed.

10

The slave revolt in morality begins when the resentment itself becomes creative and gives birth to values: the resentment of those beings who are prevented from a genuinely active reaction and who compensate for that with a merely imaginary vengeance. While all noble morality grows out of a triumphant self-affirmation, slave morality from the start says "No" to what is "outside," "other," "a non-self." And this "No" is its creative act. This transformation of the glance which confers value—this necessary projection towards what is outer instead of back onto itself—that is inherent in resentment. In order to arise, slave morality always requires first an opposing world, a world outside itself. Psychologically speaking, it needs external stimuli in order to act at all. Its action is basically reaction.

The reverse is the case with the noble method of valuing: it acts and grows spontaneously. It seeks its opposite only to affirm itself even more thankfully, with even more rejoicing. Its negative concept of "low," "common," "bad" is only a pale contrasting image after the fact in relation to its positive basic concept, thoroughly intoxicated with life and passion, "We are noble, good, beautiful, and happy!" When the noble way of evaluating makes a mistake and abuses reality, that happens with reference to the sphere which it does not know well enough, indeed, the sphere it has strongly resisted learning the truth about: under certain circumstances it misjudges the sphere it despises—the sphere of the common man, the low people.

On the other hand, we should consider that even assuming that the feeling of contempt, of looking down, or of looking superior falsifies the image of the person despised, such distortion will fall short by a long way of the distortion with which the repressed hatred and vengeance of the powerless man mistakenly assault his opponent—naturally, in effigy. In fact, in contempt there is too much negligence, too much dismissiveness, too much looking away and impatience, all mixed together, even too much feeling of joy, for it to be capable of converting its object into a truly distorted monster.

We should not fail to hear the almost benevolent nuances which for a Greek noble, for example, lay in all the words with which he set himself above the lower people—how a constant form of pity, consideration, and forbearance is mixed in there, sweetening the words, to the point where almost all words which refer to the common man finally remain as expressions for "unhappy," "worthy of pity" (compare *deilos*,[1] *deilaios*,[2] *poneros*,[3] *mochtheros*[4]—the last two basically designating the common man as a slave worker and beast of burden). On the other hand, for the Greek ear the words "bad," "low," "unhappy" have never stopped echoing a single note, one tone color, in which "unhappy" predominates. That is the inheritance of the old, noble, aristocratic way of evaluating, which does not betray its principles even in contempt.

(Philologists might recall the sense in which *oizuros*,[5] *anolbos*,[6] *tlemon*,[7] *dustychein*,[8] *xymfora*[9] were used.) The "well born" felt that they were "the happy ones"; they did not have to construct their happiness artificially first by looking at their enemies, or in some circumstance to talk themselves into it, to lie to themselves (the way all men of resentment habitually do). Similarly they knew, as complete men, overloaded with power and thus necessarily active, they must not separate action from happiness. They considered being active necessarily associated with happiness (that's where the phrase *eu prattein*[10] derives its origin)—all this is very much the opposite of "happiness" at the level of the powerless, the oppressed, those festering with poisonous and hostile feelings, among whom happiness comes out essentially as a narcotic, an anesthetic, quiet, peace, "Sabbath," relaxing the soul, stretching one's limbs, in short, as something passive.

While the noble man lives for himself with trust and candour (*gennaios*, meaning "of noble birth" stresses the nuance "upright" and also probably "naïve"); the man of resentment is neither upright nor naïve, nor honest and direct with himself. His soul squints. His spirit loves hiding places, secret paths, and back doors. Everything furtive attracts him as his world, his security, his refreshment. He understands about remaining silent, not forgetting, waiting, temporarily diminishing himself, humiliating himself. A race of such men of resentment will necessarily end up cleverer than any noble race. It will value cleverness to a very different extent, that is, as a condition of existence of the utmost importance; whereas, cleverness among noble men easily acquires a delicate aftertaste of luxury and sophistication about it. Here it is not nearly so important as the complete certainty of the ruling unconscious instincts or even a certain lack of cleverness, something like brave recklessness, whether in the face of danger or of an enemy, or wildly enthusiastic, sudden fits of anger, love, reverence, thankfulness, and vengefulness, by which in all ages noble souls have recognized each other.

The resentment of the noble man himself, if it comes over him, consumes and exhausts itself in an immediate reaction and therefore does not poison. On the other hand, in countless cases it just does not appear at all; whereas, in the case of all weak and powerless people it is unavoidable. The noble man cannot take his enemies, his misfortunes, even his bad deeds seriously for very long—that is the mark of strong, complete natures, in whom there is a surplus of plastic, creative, healing power, as well as the power to forget (a good example for that from the modern world is Mirabeau,[11] who had no memory of the insults and maliciousness people directed at him, and who therefore could not forgive, because he just forgot). Such a man with a single shrug throws off himself all those worms which eat into other men. Only here is possible (provided that it is at all possible on earth) the real "love for one's enemy." How much respect a noble man already has for his enemies! And such a respect is already a bridge to love … In fact, he demands his enemy for himself, as his mark of honor. Indeed, he has no enemy other than one who has nothing to despise and a great deal to respect! By contrast, imagine for yourself "the enemy" as a man of resentment conceives him—and right here we have his action, his creation: he has conceptualized "the evil enemy," "the evil one," as a fundamental idea—and from that he now thinks his way to an opposite image and counterpart, a "good man"—himself!

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[1] *deilos* Greek: cowardly.

[2] *deilaios* Greek: lowly, mean.

[3] *poneros* Greek: oppressed by toil, wretched.

[4] *mochtheros* Greek: suffering, wretched.

[5] *oizuros* Greek: miserable.

[6] *anolbos* Greek: unblessed.

[7] *tlemon* Greek: wretched.

[8] *dustychein* Greek: unfortunate.

[9] *xymfora* Greek: misfortune.

[10] *eu prattein* Greek: do well, succeed.

[11] *Mirabeau* Honoré Gabriel Riqueti, comte de Mirabeau (1749–91), French writer and statesman during the French Revolution.

11

We see exactly the opposite with the noble man, who conceives the fundamental idea "good" in advance and spontaneously by himself and from there first creates a picture of "bad" for himself. This "bad" originating from the noble man and that "evil" arising out of the stew pot of insatiable hatred—of these the first is a later creation, an afterthought, a complementary color; whereas, the second is the original, the beginning, the essential act of conception in slave morality.

Although the two words "bad" and "evil" both seem opposite to the same idea of "good," how different they are. But it is not the same idea of the "good"; it is much rather a question of who the "evil man" really is, in the sense of the morality of resentment. The strict answer to that is as follows: precisely the "good man" of the other morality, the noble man himself, the powerful, the ruling man, only colored over, reinterpreted, and seen only through the poisonous eyes of resentment.

Here there is one thing we will be the last to deny: the man who knows these "good men" only as enemies, knows them as nothing but evil enemies, and the same men who are so strongly bound by custom, honor, habit, thankfulness, even more by mutual suspicion and jealousy *inter pares*[1] and who, by contrast, demonstrate in relation to each other such resourceful consideration, self-control, refinement, loyalty, pride, and friendship—these men, once outside where the strange world, the foreign, begins, are not much better than beasts of prey turned loose. There they enjoy freedom from all social constraints. In the wilderness they make up for the tension which a long fenced-in confinement within the peace of the community brings about. They go back to the innocent consciousness of a wild beast of prey, as joyful monsters, who perhaps walk away from a dreadful sequence of murder, arson, rape, and torture with exhilaration and spiritual equilibrium, as if they had merely pulled off a student prank, convinced that the poets now have something more to sing about and praise for a long time to come.

At the bottom of all these noble races we cannot fail to recognize the beast of prey, the blond beast splendidly roaming around in its lust for loot and victory. This hidden basis from time to time needs to be discharged: the animal must come out again, must go back into the wilderness,—Roman, Arab, German, Japanese nobility, Homeric heroes, Scandinavian Vikings—in this need they are all alike.

It was the noble races which left behind the concept of the "barbarian" in all their tracks, wherever they went. A consciousness of and a pride in this fact reveals itself even in their highest culture (for example, when Pericles[2] says to his Athenians, in that famous Funeral Speech, "our audacity has broken a way through to every land and sea, putting up permanent memorials to itself for good and ill"[3])—this "audacity" of the noble races, mad, absurd, sudden in the way it expresses itself, its unpredictability, even the improbability of its undertakings—Pericles emphatically praises the *raythumia*[4] of the Athenians—its indifference to and contempt for safety, body, life, comfort, its fearsome cheerfulness and the depth of its joy in all destruction, in all the physical pleasures of victory and cruelty—everything summed up for those who suffer from such audacity in the image of the "barbarian," the "evil enemy," something like the "Goth" or the "Vandal."

The deep, icy mistrust which the German evokes, as soon as he comes to power—even today—is still an aftereffect of that unforgettable terror with which for centuries Europe confronted the rage of the blond German beast (although there is hardly any idea linking the old Germanic tribes and we Germans, let alone any blood relationship).

Once before I have remarked on Hesiod's dilemma when he thought up his sequence of cultural periods and sought to express them as Gold, Silver, and Iron. But he didn't know what to do with the contradiction presented to him by the marvelous but, at the same time, horrifying and violent world of Homer, other than to make two cultural ages out of one and then place one after the other—first the age of Heroes and Demi-gods from Troy and Thebes, just as that world remained as a memorial for the noble races who had their own ancestors in it, and then the Iron Age, as that same world appeared to the descendants of the downtrodden, exploited, ill treated, those carried off and sold—a metallic age, as mentioned: hard, cold, cruel, empty of feeling and scruples, with everything crushed and covered over in blood.

Assuming as true what in any event is taken as "the truth" nowadays, that it is precisely the purpose of all culture to breed a tame and civilized animal, a domestic pet, out of the beast of prey "man," then we would undoubtedly have to consider the essential instruments of culture all those instinctive reactions and resentments by means of which the noble races with all their ideals were finally disgraced and overpowered—but that would not be to claim that the bearers of these instincts also in themselves represented culture. It would much rather be the case that the opposite is not only probable—no! nowadays it is visibly apparent. These people carrying instincts for oppression and a lust for revenge, the descendants of all European and non-European slavery, and all pre-Aryan populations in particular, represent the regression of mankind! These "instruments of culture" are a disgrace to humanity, more a reason to be suspicious of or a counterargument against "culture" in general!

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[1] *inter pares* Latin: among equals.

[2] *Pericles* Greek statesman, orator and general (c. 495–429 BCE).

[3] *our audacity … for good and ill* From Thucydides, *Peloponnesian War*, 2.41.

[4] *raythumia* Greek: mental balance, freedom from anxiety.

We may well be right when we hang onto our fear of the blond beast at the base of all noble races and keep up our guard. But who would not find it a hundred times better to fear if he could at the same time be allowed to admire, rather than not fear and no longer be able to rid himself of the disgusting sight of the failures, the stunted, the emaciated, the poisoned? Is not that our fate? Today what is it that constitutes our aversion to "man"? For we suffer from man—there's no doubt of that. It's not a matter of fear. Rather it's the fact that we have nothing more to fear from men, that the maggot "man" is in the foreground swarming around, that the "tame man," the hopelessly mediocre and unpleasant man, has already learned to feel that he is the goal, the pinnacle, the meaning of history, "the higher man,"—yes indeed, he even has a certain right to feel that about himself, insofar as he feels separate from the excess of failed, sick, tired, spent people, who are nowadays beginning to make Europe stink, and feels at least somewhat successful, at least still capable of life, at least able to say "Yes" to life ...

from *Second Essay: Guilt, Bad Conscience and Related Matters*

I

To breed an animal that is entitled to make promises—surely that is the essence of the paradoxical task nature has set itself where human beings are concerned? Isn't that the real problem of human beings? The fact that this problem has largely been resolved must seem all the more astonishing to a person who knows how to appreciate fully the power which works against this promise-making, namely forgetfulness. Forgetfulness is not merely a *vis interiae*, as superficial people think. Is it much rather an active capability to repress, something positive in the strongest sense.

We can ascribe to forgetfulness the fact what while we are digesting what we alone live through and experience and absorb (we might call the process mental ingestion [*Einverseelung*]), we are conscious of what is going on as little as we are with the thousand-fold process which our bodily nourishment goes through (so-called physical ingestion [*Einverleibung*]). The doors and windows of consciousness are shut from time to time, so that it stays undisturbed by the noise and struggle with which the underworld of our functional organs keeps working for and against one another—a small quiet place, a little *tabula rasa*[1] of the consciousness, so that there will again be room for something new, above all, for the nobler functions and officials, for ruling, thinking ahead, determining what to do (for our organism is arranged as an oligarchy)—that is, as I said, the use of active forgetfulness, like some porter at the door, a maintainer of psychic order, quiet, and etiquette. From that we can see at once how, if forgetfulness were not present, there could be no happiness, no cheerfulness, no hoping, no pride, no present. The man in whom this repression apparatus is harmed and not working properly we can compare to a dyspeptic (and not just compare)—he is "finished" with nothing.

Now this necessarily forgetful animal in which forgetfulness is present as a force, as a form of strong health, has had an opposing capability bred into it, a memory, with the help of which, in certain cases, its forgetfulness will cease to function—that is, for those cases where promises are to be made. This is in no way a merely passive inability ever to be rid of an impression once it has been etched into the mind, nor is it merely indigestion over a word one has pledged at a particular time and which one can no longer be over and done with. No, it's an active wish not to be free of the matter, a continuing desire for what one willed at a particular time, a real memory of one's will, so that between the original "I will" or "I will do" and the actual discharge of the will, its real action, without thinking about it, a world of strange new things, circumstances, even acts of the will can intervene, without breaking this long chain of the will.

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[1] *tabula rasa* Latin: blank slate.

But consider what that presupposes! In order to organize the future in this manner, human beings must have first learned to separate necessary events from chance events, to think in terms of cause and effect, to see distant events as if they were present, to anticipate them, to set goals and the means to reach them safely, to develop a capability for figures and calculations in general—and for that to occur, a human being must necessarily have first become something one could predict, something bound by regular rules, even in the way he imagined himself to himself, so that finally he is able to act like someone who makes promises—he can make himself into a pledge for the future!

2

Precisely that development is the long history of the origin of responsibility. The task of breeding an animal with a right to make promises contains within it, as we have already grasped, as a condition and prerequisite, the earlier task of first making a human being necessarily uniform to some extent, one among many others like him, regular and consequently predictable. The immense task involved in this, what I have called the "morality of custom" (cf. *Daybreak*, Sections 9, 14, 16), the essential work of a man on his own self in the longest-lasting age of the human race, his entire pre-historical work, derives its meaning, its grand justification, from the following point, no matter how much hardship, tyranny, monotony and idiocy it also manifested: with the help of the morality of custom and the social strait jacket, the human being was rendered truly predictable.

Now, let's position ourselves, by contrast, at the end of this immense process, in the place where the tree finally yields its fruit, where society and the morality of custom finally bring to light the end for which they were simply the means. We find—as the ripest fruit on that tree—the sovereign individual, something which resembles only itself, which has broken loose again from the morality of custom—the autonomous individual beyond morality (for "autonomous" and "moral" are mutually exclusive terms)—in short, the human being who possesses his own independent and enduring will, who is entitled to make promises—and in him a proud consciousness, quivering in every muscle, of what has finally been achieved and given living embodiment in him: a real consciousness of power and freedom, a feeling of completion for human beings generally.

This man who has become free, who really has the right to make promises, this master of free will, this sovereign—how can he not realize the superiority he enjoys over everyone who does not have the right to make a promise and make pledges on his own behalf, knowing how much trust, how much fear, and how much respect he creates (he is worthy of all three) and how, with this mastery over himself, he has necessarily been given in addition mastery over his circumstances, over nature, and over all creatures with a shorter and less reliable will?

The "free" man, the owner of an enduring unbreakable will, by possessing this, also acquires his own standard of value: he looks out from himself at others and confers respect or withholds it. And just as it will be necessary for him to honor those like him, the strong and dependable (who are entitled to make promises), in other words, everyone who makes promises like a sovereign, seriously, rarely, and slowly, who is sparing with his trust, who honors another when he does trust, who gives his word as something reliable, because he knows he is strong enough to remain upright when opposed by misfortune, even when "opposed by fate," so it will be necessary for him to keep his foot ready to kick the scrawny unreliable men, who make promises without being entitled to, and to hold his cane ready to punish the liar who breaks his word in the very moment it comes out of his mouth.

The proud knowledge of the extraordinary privilege of responsibility, the consciousness of this rare freedom, this power over oneself and destiny, have become internalized into the deepest parts of him and grown instinctual, have now become a dominating instinct. What will he call it, this dominating instinct, given that he finds he needs a word for it? There's no doubt about this question: the sovereign man calls this instinct his conscience.

3

His conscience?... To begin with, we can conjecture that the idea of "conscience," which we are encountering here in its highest, almost perplexing form, already has a long history and developmental process behind it. To be entitled to pledge one's word, to do it with pride, and also to say "Yes" to oneself—that right is a ripe fruit, as I have mentioned, but it is also a late fruit. For what a long stretch of time this fruit must have hung tart and sour on the tree! And for an even longer time it was impossible to see any such fruit. It would appear that no one would have been entitled to make promises, even if everything about the tree was getting ready for it and was growing in that very direction.

"How does one create a memory for the human animal? How does one stamp something like that into his partly dull, partly flickering, momentary understanding, this living embodiment of forgetfulness, so that it stays there?" This ancient problem, as you can imagine, was not resolved right away with tender answers and methods. There is perhaps nothing more fearful and more terrible in the entire pre-history of human beings than the technique for developing his memory. "We burn something in so that it remains in the memory. Only something which never ceases to cause pain stays in the memory"—that is a leading principle of the most ancient (and unfortunately the most recent) psychology on earth.

We might even say that everywhere on earth nowadays where there is still solemnity, seriousness, mystery, and gloomy colors in the lives of men and people, something of that terror is still at work, the fear with which in earlier times on earth people made promises, pledged their word, or praised something. The past, the longest, deepest, most severe past, breathes on us and surfaces in us when we become "solemn." When the human being considered it necessary to make a memory for himself, it never happened without blood, martyrs, and sacrifices—the most terrible sacrifices and pledges (among them the sacrifice of the first born), the most repulsive self-mutilations (for example castration), the cruellest forms of ritual in all the religious cults (and all religions are at bottom systems of cruelty)—all that originates in that instinct which discovered that pain was the most powerful means of helping to develop the memory.

In a certain sense all asceticism belongs here: a couple of ideas need to be made indissoluble, omnipresent, unforgettable, "fixed," in order to hypnotize the entire nervous and intellectual system through these "fixed ideas"—and the ascetic procedures and forms of life are the means whereby these ideas are freed from jostling around with all the other ideas, in order to make them "unforgettable." The worse the human being's "memory" was, the more terrible his customs have always appeared. The harshness of the laws of punishment provide a special standard for measuring how much trouble people went to in order to triumph over forgetfulness and to maintain a present awareness of a few primitive demands of social living together for this slave of momentary feelings and desires.

We Germans certainly do not think of ourselves as a particularly cruel and hard-hearted people, even less as particularly careless people who live only in the present. But have a look at our old penal code in order to understand how much trouble it took on this earth to breed a "People of Thinkers" (by that I mean the peoples of Europe, among whom today we still find a maximum of trust, seriousness, tastelessness, and practicality, and who, with these characteristics, have a right to breed all sorts of European mandarins). These Germans have used terrible means to make themselves a memory in order to attain mastery over their vulgar and brutally crude basic instincts. Think of the old German punishments, for example, stoning (the legend even lets the mill stone fall on the head of the guilty person), breaking on the wheel (the unique invention and specialty of the German genius in the area of punishment!), impaling on a stake, ripping people apart or stamping them to death with horses ("quartering"), boiling the criminal in oil or wine (still done in the fourteenth and fifteenth centuries), the well-loved practice of flaying ("cutting flesh off in strips"), carving flesh out of the chest, along with, of course, covering the offender with honey and leaving him to the flies in the burning sun.

With the help of such images and procedures people finally retained five or six "I will not's" in their memory, and so far as these precepts were concerned they gave their word in order to live with the advantages of society—and that was that! With the assistance of this sort of memory people finally came to "reason"! Ah, reason, seriousness, mastery over emotions, the whole gloomy business called reflection, all these privileges and ceremonies of human beings—how expensive they were! How much blood and horror is the basis for all "good things"!...

4

But then how did that other "gloomy business," the consciousness of guilt, the whole "bad conscience" come into the world? With this we turn back to our genealogists of morality. I'll say it once more—or perhaps I haven't said it at all yet—they are useless. With their own purely "modern" experience extending only through five periods, with no knowledge of or any desire to know the past, and even less historical insight, a "second perspective"—something so necessary at this point—they nonetheless pursue the history of morality. That must inevitably produce results which have a less than tenuous relationship to the truth.

Have these genealogists of morality up to this point allowed themselves to dream, even remotely, that, for instance, the major moral principle "guilt" [*Schuld*] derives its origin from the very materialistic idea "debt" [*Schulden*] or that punishment developed entirely as repayment, without reference to any assumption about the freedom or lack of freedom of the will—and did so to the point where it first required a high degree of human development so that the animal "man" began to make those much more primitive distinctions between "intentional," "negligent," "accidental," "responsible," and their opposites and bring them to bear when meting out punishment? That unavoidable idea, nowadays so trite and apparently natural, which has really had to serve as the explanation how the feeling of justice in general came into existence on earth—"The criminal deserves punishment because he could have acted otherwise"—this idea, in fact, is an extremely late achievement, indeed, a sophisticated form of human judgment and decision making.

Anyone who moves this idea back to the very beginnings is sticking his coarse fingers inappropriately into the psychology of primitive humanity. For the most extensive period of human history, punishment was certainly not meted out because people held the instigator of evil responsible for his actions, nor was it assumed that only the guilty party should be punished. It was much more the case, as it still is now when parents punish their children, of anger over some harm which people have suffered, anger vented on the perpetrator. But this anger was restrained and modified through the idea that every injury had some equivalent and that compensation for it could, in fact, be paid out, even if that was through the pain of the perpetrator.

Where did this primitive, deeply rooted, and perhaps by now ineradicable idea derive its power, the idea of an equivalence between punishment and pain? I have already given away the answer: in the contractual relationship between creditor and debtor, which is as ancient as the idea of "someone subject to law" and which, in itself, refers back to the basic forms of buying, selling, bartering, trading, and exchanging goods.

5

It's true that recalling this contractual relationship arouses, as we might expect from what I have observed above, all sorts of suspicion of and opposition to primitive humanity, which established or allowed it. It's precisely at this point that people make promises. Here the pertinent issue is that the person who makes a promise has to have a memory created for him, so that precisely at this point, we can surmise, there exists a site where we find harshness, cruelty, and pain. In order to inspire trust in his promise to pay back, in order to give his promise a guarantee of its seriousness and sanctity, in order to impress on his own conscience the idea of paying back as a duty, an obligation, the debtor, by virtue of the contract, pledges to the creditor, in the event that he does not pay, something that he still "owns," something over which he still exercises power, for example, his body or his wife or his freedom or even his life (or, under certain religious conditions, even his blessedness, the salvation of his soul, or finally his peace in the grave, as was the case in Egypt, where the dead body of the debtor even in the tomb found no peace from the creditor—and it's certain that with the Egyptians such peace was particularly important). That means that the creditor could inflict all kinds of ignominy and torture on the body of the debtor—for instance, slicing off the body as much as seemed appropriate for the size of the debt. And this point of view early on and everywhere gave rise to precise, sometimes horrific estimates going into finer and finer details, legally established estimates about individual limbs and body parts. I consider it already a step forward, as evidence of a freer conception of the law, something which calculates more grandly, a more Roman idea of justice, when Rome's Twelve Tables of Laws decreed it was all the same, no matter how much or how little the creditor cut off in such cases: "*si plus minusve secuerunt, ne fraude esto.*"[1]

Let us clarify the logic of this whole method of compensation—it is weird enough. The equivalency is given in this way: instead of an advantage making up directly for the harm (hence, instead of compensation in gold, land, possessions of some sort or another), the creditor is given a kind of pleasure as repayment and compensation—the pleasure of being allowed to discharge his power on a powerless person without having to think about it, the delight in "*de fair le mal pour le plaisir de le faire*,"[2] the enjoyment of violation. This enjoyment is more highly prized the lower and baser the debtor stands in the social order, and it can easily seem to the creditor a delicious mouthful, even a foretaste of a higher rank. By means of the "punishment" of the debtor, the creditor participates in a right belonging to the masters. Finally he himself for once comes to the lofty feeling of despising a being as someone "below him," as someone he is entitled to mistreat—or at least, in the event that the real force of punishment, of inflicting punishment, has already been transferred to the "authorities," the feeling of seeing the debtor despised and mistreated. The compensation thus consist of a permission for and right to cruelty.

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[1] *si plus ... fraude esto* Latin: let it not be thought a crime if they cut off more or less.

[2] *de fair le mal pour le plaisir de le faire* French: doing wrong for the pleasure of doing it.

6

In this area, that is, in the laws of obligation, the world of the moral concepts "guilt," "conscience," and "sanctity of obligations" originated. Its beginnings, just like the beginnings of everything great on earth, were watered thoroughly and for a long time with blood. And can we not add that this world deep down has never again been completely free of a certain smell of blood and torture—(not even with old Kant whose categorical imperative[1] stinks of cruelty ...)? In addition, here the weird knot linking the ideas of "guilt and suffering," which perhaps has become impossible to undo, was first knit together.

Let me pose the question once more: to what extent can suffering be a compensation for "debts"? To the extent that making someone suffer provides the highest degree of pleasure, to the extent that the person hurt by the debt, in exchange for the injury and for the distress caused by the injury, got an extraordinary offsetting pleasure—making someone suffer—a real celebration, something that, as I've said, was valued all the more, the greater the difference between him and the rank and social position of the creditor. I have been speculating here, for it's difficult to see such subterranean things from the surface, quite apart from the fact that it's an embarrassing subject.

Anyone who crudely throws into the middle of all this the idea of "revenge" has merely buried and dimmed his insights rather than illuminated them (revenge itself takes us back to the very same problem "How can making someone suffer give us a feeling of satisfaction?"). It seems to me that the delicacy and even more the hypocrisy of tame house pets (I mean modern man, I mean us) resist a really powerful understanding of just how much cruelty contributes to the great celebratory joy of primitive humanity, as an ingredient mixed into almost all their enjoyments and, from another perspective, how naïve and innocent their need for cruelty appears, how they basically accept "disinterested malice" (or to use Spinoza's words, the *sympathia malevolens*[2]) as a normal human characteristic, and hence as something to which their conscience says a heartfelt Yes!

A more deeply penetrating eye might still notice, even today, enough of this most ancient and most basic celebratory human joy. In *Beyond Good and Evil*, section 229 (even earlier in *Daybreak*, sections 18, 77, 113), I pointed a cautious finger at the constantly growing spiritualization and "deification" of cruelty, which runs through the entire history of higher culture (and, in a significant sense, even constitutes that culture). In any case, it's not so long ago that people wouldn't think of an aristocratic wedding and folk festival in a grandest style without executions, tortures, or something like an *auto-da-fé*,[3] and similarly no noble household lacked creatures on whom people could vent their malice and cruel taunts without a second thought (remember Don Quixote at the court of the duchess.[4] Today we read all of *Don Quixote* with a bitter taste on the tongue—it's almost an ordeal. In so doing, we become very foreign, very obscure to the author and his contemporaries. They read it with a fully clear conscience as the most cheerful of books. They almost died laughing at it).

Watching suffering is good for people, making someone suffer is even better—that is a harsh principle, but an old, powerful, and human, all-too-human major principle, which, by the way, even the apes might agree with. For people say that, in thinking up bizarre cruelties, the apes already anticipate a great many human actions and, as it were, "act them out." Without cruelty there is no celebration: that's what the oldest and longest era of human history teaches us—and with punishment, too, there is so much celebration!—

[...]

8

To resume the path of our enquiry, the feeling of guilt, of personal obligation has, as we saw, its origin in the oldest and most primitive personal relationship there is and has been—in the relationship between seller and buyer, creditor and debtor. Here for the first time one person encountered another person and measured himself against him. We have not yet found a civilization at such a low level that something of this relationship is not already perceptible. To set prices, measure values, think up equivalencies, to exchange things—that preoccupied man's very first thinking to such a degree that in a certain sense it's what thinking is.

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[1] *categorical imperative* In its first formulation, from Kant's *Groundwork for the Metaphysics of Morals* (1785): "Act only according to that maxim whereby you can at the same time will that it should become a universal law."

[2] *sympathia malevolens* Latin: malevolent sympathy.

[3] *auto-da-fé* Portuguese: act of faith.

[4] *Don Quixote ... the duchess* See Miguel de Cervantes (1547–1616), *Don Quixote*, Volume 2, Chapters 30 to 57.

The very oldest form of astuteness was bred here—here, too, we can assume are the first beginnings of human pride, his feeling of pre-eminence in relation to other animals. Perhaps our word "man" [*Mensch*] (*manas*) continues to express directly something of this feeling of the self: the human being describes himself as a being which assesses values, which values and measures, as the "inherently calculating animal." Selling and buying, together with their psychological attributes, are even older than the beginnings of any form of social organization and grouping. It is much rather the case that out of the most rudimentary form of personal legal rights the budding feeling of exchange, contract, guilt, law, duty, and compensation were first transferred to the crudest and earliest social structures (in their relationships with similar social structures), along with the habit of comparing power with power, of measuring, of calculating. The eye was now at any rate adjusted to this perspective, and with that awkward consistency characteristic of the thinking in ancient human beings, hard to get started but then inexorably moving forward in the same direction, people soon reached the great generalization "Everything has its price, everything can be paid off"—the oldest and most naïve moral principle of justice, the beginning of all "good nature," all "fairness," all "good will," all "objectivity" on earth. Justice at this first stage is good will among those approximately equal in power to come to terms with each other, to "understand" each other again by compensation—and in relation to those less powerful, to compel them to arrive at some settlement among themselves.

9

Still measuring by the standard of pre-history (a pre-history which, by the way, is present at all times or is capable of returning), the community also stands in relation to its members in that important basic relationship of the creditor to his debtors. People live in a community. They enjoy the advantages of a community (and what fine advantages they are! Nowadays we sometimes underestimate them)—they live protected, cared for, in peace and trust, without worries concerning certain injuries and enmities from which the man outside the community, the "man without peace," is excluded—a German understands what "misery" [*Elend*] or êlend[1] originally meant—and how people pledged themselves to and entered into obligations with the community bearing in mind precisely these injuries and enmities.

What will happen with an exception to this case? The community, the defrauded creditor, will see that it gets paid as well as it can—on that people can rely. The issue here is least of all the immediate damage which the offender has caused. Setting this to one side, the lawbreaker [*Verbrecher*] is above all a "breaker" [*Brecher*]—a breaker of contracts and a breaker of his word against the totality, with respect to all the good features and advantages of the communal life in which, up to that point, he has had a share. The lawbreaker is a debtor who does not merely not pay back the benefits and advances given to him, but who even attacks his creditor. So from this point on not only does he lose, as is reasonable, all these good things and benefits, but he is also more pertinently reminded what these good things are all about.

The anger of the injured creditor, the community, gives him back the wild condition, as free as a bird, from which he was earlier protected. It pushes him away from it, and now every form of hostility can vent itself on him. At this stage of cultural behavior "punishment" is simply the copy, the *mimus*, of the normal conduct towards the hated, disarmed enemy who has been thrown down, who has forfeited not only all legal rights and protection but also all mercy—hence it is a case of the rights of war and the victory celebration of *vae victis*[2] in all its ruthlessness and cruelty, which accounts for the fact that war itself (including the warlike cult of sacrifice) has given us all the ways in which punishment has appeared in history.

10

As it acquires more power, a community considers the crimes of a single individual less serious, because they no longer make him dangerous and unsettling for the existence of the community as much as they did before. The wrong doer is no longer "left without peace" and thrown out, and the common anger can no longer vent itself on him without restraint to the same extent it did before. It is rather the case that the wrong doer from now on is carefully protected by the community against this anger, particularly from that of the injured person, and is taken into protective custody. The compromise with the anger of those most immediately affected by the wrong doing, and thus the effort to localize the case and to avert a wider or even a general participation and unrest, the attempts to find equivalents and to settle the whole business (the *compositio*), above all the desire, appearing with ever-increasing clarity, to consider every crime as, in some sense or other, capable of being paid off, and thus, at least to some extent, to separate the criminal and his crime from each other—those are the characteristics stamped more and more clearly on the further development of criminal law.

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[1] *êlend* German: other country.

[2] *vae victis* Latin: woe to the conquered.

If the power and the self-confidence of a community keeps growing, the criminal law grows constantly milder. Every weakening and profound jeopardizing of the community brings the harsher forms of criminal law to light once more. The "creditor" always became proportionally more human as he became richer. Finally the amount of his wealth itself establishes how much damage he can sustain without suffering from it. It would not be impossible to imagine a society with a consciousness of its own power which allowed itself the most privileged luxury which it can have—letting its criminals go free without punishment. "Why should I really bother about my parasites," it could then say. "May they live and prosper—for that I am still sufficiently strong!"... Justice, which started by stating "Everything is capable of being paid for, everything must be paid off" ends at that point, by covering its eyes and letting the person incapable of payment go free—it ends, as every good thing on earth ends, by doing away with itself. This self-negation of justice—we know what a beautiful name it calls itself—mercy. It goes without saying that mercy remains the privilege of the most powerful man, or even better, his beyond the law.

11

Now a critical word about a recently published attempt to find the origin of justice in quite a different place—that is, in resentment. But first let me speak a word in the ear of the psychologists, provided that they have any desire to study resentment itself up close for once: this plant grows most beautifully nowadays among anarchists and anti-Semites—in addition, it blooms, as it always has, in hidden places, like the violet, although it has a different fragrance. And since like always has to emerge from like, it is not surprising to see attempts coming forward again from just such circles, as they have already done many times before, to sanctify revenge under the name of justice, as if justice were basically simply a further development of a feeling of being injured, and to bring belated respect to emotional reactions generally, all of them, using the idea of revenge.

With this last point I personally take the least offence. It even seems to me a service, so far as the entire biological problem is concerned (in connection with which the worth of these emotions has been underestimated up to now). The only thing I'm calling attention to is the fact that it is the very idea of resentment itself out of which this new emphasis on scientific fairness grows (which favors hate, envy, resentment, suspicion, rancor, and revenge). This "scientific fairness," that is, ceases immediately and gives way to tones of mortal enmity and prejudice as soon as it deals with another group of emotions which, it strikes me, have a much higher biological worth than those reactive ones and which therefore have earned the right to be scientifically assessed and given a high value—namely, the truly active emotions, like desire for mastery, acquisitiveness, and so on (E. Dühring,[1] *The Value of Life: A Course in Philosophy*, the whole book really). So much against this tendency in general.

But in connection with Dühring's single principle that we must seek the homeland of justice in the land of the reactive feeling, we must, for love of the truth, rudely turn this around by setting out a different principle: the last territory to be conquered by the spirit of justice is the land of the reactive emotions! If it is truly the case that the just man remains just even towards someone who has injured him (and not just cold, moderate, strange, indifferent: being just is always a positive attitude), if under the sudden attack of personal injury, ridicule, and suspicion, the gaze of the lofty, clear, deep, and benevolent objectivity of the just and judging eye does not grow dark, well, that's a piece of perfection and the highest mastery on earth, even something that it would be wise for people not to expect. In any event they should not believe in it too easily.

It's certainly true that, on average, even among the most just people even a small dose of hostility, malice, and insinuation is enough to make them see red and chase fairness out of their eyes. The active, aggressive, over-reaching human being is always placed a hundred steps closer to justice than the reactive person. For him it is not even necessary in the slightest to estimate an object falsely and with bias, the way the reactive man does and must do. Thus, as a matter of fact, at all times the aggressive human being—the stronger, braver, more noble man—has always had on his side a better conscience as well as a more independent eye. And by contrast, we can already guess who generally has the invention of "bad conscience" on his conscience—the man of resentment!

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[1] *E. Dühring* Eugen Karl Dühring (1833–1921) was a German philosopher and economist, and a socialist who criticized Marxism. He is chiefly remembered as the subject of Engels' polemic *Anti-Dühring: Herr Eugen Dühring's Revolution in Science.*

Finally, let's look around in history: up to now in what area has the whole implementation of law in general as well as the essential need for law been at home? Could it be in the area of the reactive human beings? That is entirely wrong. It is much more the case that it's been at home with the active, strong, spontaneous, and aggressive men. Historically considered, the law on earth—let me say this to the annoyance of the above-mentioned agitator (who himself once made the confession "The doctrine of revenge runs through all my work and efforts as the red thread of justice")—represents that very struggle against the reactive feelings, the war with them on the part of active and aggressive powers, which have partly used up their strength to put a halt to or restrain reactive pathos and to compel some settlement with it.

Everywhere where justice is practiced, where justice is upheld, we see a power stronger in relation to a weaker power standing beneath it (whether with groups or individuals), seeking ways to bring an end among the latter to the senseless rage of resentment, partly by dragging the object of resentment out of the hands of revenge, partly by setting in the place of revenge a battle against the enemies of peace and order, partly by coming up with compensation, proposing it, under certain circumstances making it compulsory, sometimes establishing certain equivalents for injuries as a norm, which from now on resentment is channeled into once and for all.

The most decisive factor, however, which the highest power carries out and sets in place against the superior power of the feelings of hostility and animosity—something that power always does as soon as it is somehow strong enough to do it—is to set up laws, the imperative explanation of those things which, in its own eyes, are considered allowed and legal and things which are considered forbidden and illegal. In the process, after the establishment of the law, the authorities treat attacks and arbitrary acts of individuals or entire groups as an outrage against the law, as rebellion against the highest power itself, and they steer the feelings of those beneath them away from the immediate damage caused by such outrages and thus, in the long run, achieve the reverse of what all revenge desires, which sees only the viewpoint of the injured party and considers only that valid. From now on, the eye becomes trained to evaluate actions always impersonally, even the eye of the harmed party itself (although this would be the very last thing to occur, as I have remarked earlier).

Consequently, only with the setting up of the law is there a "just" and "unjust" (and not, as Dühring will have it, from the time of the injurious action). To talk of just and unjust in themselves has no sense whatsoever—it's obvious that in themselves harming, oppressing, exploiting, destroying cannot be "unjust," inasmuch as life essentially works that way, that is, in its basic functions it harms, oppresses, exploits, and destroys—and cannot be conceived at all without these characteristics. We must acknowledge something even more alarming—the fact that from the highest biological standpoint, conditions of law must always be exceptional conditions, partial restrictions on the basic will to live, which is set on power—they are subordinate to the total purpose of this will as its individual means, that is, as means to create a larger unit of power. A legal system conceived of as sovereign and universal, not as a means in the struggle of power complexes, but as a means against all struggles in general, something along the lines of Dühring's communist cliché in which each will must be considered as equal to every will, that would be a principle hostile to life, a destroyer and dissolver of human beings, an assassination attempt on the future of human beings, a sign of exhaustion, a secret path to nothingness.

12

Here one more word concerning the origin and purpose of punishment—two problems which are separate or should be separate. Unfortunately people normally throw them together into one. How do the previous genealogists of morality deal with this issue? Naively—the way they always work. They find some "purpose" or other for punishment, for example, revenge or deterrence, then in a simple way set this purpose at the beginning as the *causa fiendi*[1] of punishment and then that's it—they're finished. The "purpose in law," however, is the very last idea we should use in the history of the emergence of law. It is much rather the case that for all forms of history there is no more important principle than the one which we reach with such difficulty but which we also really should reach, namely that what causes a particular thing to arise and the final utility of that thing, its actual use and arrangement in a system of purposes, are separate *toto coelo*,[1] that something existing, which has somehow come to its present state, will again and again be interpreted by the higher powers over it from a new perspective, appropriated in a new way, reorganized for and redirected to new uses, that all events in the organic world involve overpowering, acquiring mastery and that, in turn, all overpowering and acquiring mastery involve a re-interpretation, a readjustment, in which the "sense" and "purpose" up to then must necessarily be obscured or entirely erased.

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[1] *causa fiendi* Latin: cause of origin.

No matter how well we have understood the usefulness of some physiological organ or other (or a legal institution, a social custom, a political practice, some style in art or in religious cults), we have not, in that process, grasped anything about its origin—no matter how uncomfortable and unpleasant this may sound in elderly ears. From time immemorial people have believed that in demonstrable purposes, the usefulness of a thing, a form, or an institution, they could understand the reasons it came into existence—the eye as something made to see, the hand as something made to grasp. So people also imagined punishment as invented to punish. But all purposes, all uses, are only signs that a will to power has become master over something with less power and has stamped on it its own meaning of some function, and the entire history of a "thing," an organ, a practice can by this process be seen as a continuing chain of signs of constantly new interpretations and adjustments, whose causes need not be connected to each other—they rather follow and take over from each other under merely contingent circumstances.

Consequently, the "development" of a thing, a practice, or an organ has nothing to do with its progress towards a single goal, even less is it the logical and shortest progress reached with the least expenditure of power and resources, but rather the sequence of more or less profound, more or less mutually independent processes of overpowering which take place on that thing, together with the resistance which arises against that overpowering each time, the transformations of form which have been attempted for the purpose of defense and reaction, as well as the results of successful countermeasures. Form is fluid—the "meaning," however, is even more so ... Even within each individual organism things are no different: with every essential growth in the totality, the "meaning" of an individual organ also shifts—in certain circumstances its partial destruction, a reduction of its numbers (for example, through the destruction of intermediate structures) can be a sign of growing power and perfection.

Let me say this: the partial loss of utility, decline, and degeneration, the loss of meaning, and purposelessness, in short, death, also belong to the conditions of a real progress, which always appears in the form of a will and a way to greater power constantly establishing itself at the expense of a huge number of smaller powers. The size of a "step forward" can even be estimated by a measure of everything that had to be sacrificed to it. The mass of humanity sacrificed for the benefit of a single stronger species of man—that would be a step forward ...

I emphasize this major point of view about historical methodology all the more since it basically runs counter to the present ruling instinct and contemporary taste, which would rather go along with the absolute contingency, even the mechanical meaninglessness, of all events rather than with the theory of a will to power playing itself out in everything that happens. The democratic idiosyncrasy of being hostile to everything which rules and wants to rule, the modern ruler-hatred [*Misarchismus*] (to make up a bad word for a bad thing), has gradually transformed itself and dressed itself up in intellectual activity, the most intellectual activity, to such an extent that nowadays step by step it infiltrates the strictest, apparently most objective scientific research, and is allowed to infiltrate it. Indeed, it seems to me already to have attained mastery over all of physiology and the understanding of life, to their detriment, as is obvious, because it has conjured away from them their fundamental concept—that of real activity.

By contrast, under the pressure of this idiosyncrasy we push "adaptation" into the foreground, that is, a second-order activity, a mere re-activity—in fact, people have defined life itself as an always purposeful inner adaptation to external circumstances (Herbert Spencer). But that simply misjudges the essence of life, its will to power. That overlooks the first priority of the spontaneous, aggressive, overreaching, re-interpreting, re-directing, and shaping powers, after whose effects the "adaptation" first follows. Thus, the governing role of the highest functions in an organism, ones in which the will for living appear active and creative, are denied. People should remember the criticism Huxley[1] directed at Spencer for his "administrative nihilism." But the issue here concerns much more than "administration" ...

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[1] *toto coelo* Latin: by all the heavens, i.e., absolutely.

13

Returning to the business at hand, that is, to punishment, we have to differentiate between two aspects of it: first its relative duration, the way it is carried out, the action, the "drama," a certain strict sequence of procedures and, on the other hand, its fluidity, the meaning, the purpose, the expectation linked to the implementation of such procedures. In this matter, we can here assume, without further comment, *per analogium*,[2] in accordance with the major viewpoints about the historical method we have just established, that the procedure itself will be somewhat older and earlier than its use as a punishment, that the latter was only injected and interpreted into the procedure (which had been present for a long time but was a tradition with a different meaning), in short, that it was not what our naïve genealogists of morality and law up to now assumed, who collectively imagined that the procedure was invented for the purpose of punishment, just as people earlier thought that the hand was invented for the purpose of grasping.

Now, so far as that other element in punishment is concerned, the fluid element, its "meaning," in a very late cultural state (for example in contemporary Europe) the idea of "punishment" actually presents not simply one meaning but a whole synthesis of "meanings." The history of punishment up to now, in general, the history of its use for different purposes, finally crystallizes into a sort of unity, which is difficult to untangle, difficult to analyze, and, it must be stressed, totally incapable of definition. (Today it is impossible to say clearly why we really have punishment—all ideas in which an entire process is semiotically summarized elude definition—only something which has no history is capable of being defined.)

At an earlier stage, by contrast, that synthesis of "meanings" appears much easier to untangle, as well as easier to adjust. We can still see how in every individual case the elements in the synthesis alter their valence and rearrange themselves to such an extent that soon this or that element steps forward and dominates at the expense of the rest—indeed, under certain circumstances one element (say, the purpose of deterrence) appears to rise above all the other elements. In order to give at least an idea of how uncertain, how belated, how accidental "the meaning" of punishment is and how one and the same procedure can be used, interpreted, or adjusted for fundamentally different purposes, let me offer here an example which presented itself to me on the basis of relatively little random material: punishment as a way of rendering someone harmless, as a prevention from further harm; punishment as compensation for the damage to the person injured, in some form or other (also in the form of emotional compensation); punishment as isolation of some upset to an even balance in order to avert a wider outbreak of the disturbance; punishment as way of bringing fear to those who determine and carry out punishment; punishment as a sort of compensation for the advantages which the law breaker has enjoyed up until that time (for example, when he is made useful as a slave working the mines); punishment as a cutting out of a degenerate element (in some circumstances an entire branch, as in Chinese law, and thus a means to keep the race pure or to sustain a social type); punishment as festival, that is, as the violation and humiliation of some enemy one has finally thrown down; punishment as a way of making a conscience, whether for the man who suffers the punishment—so-called "reform"—or whether for those who witness the punishment being carried out; punishment as the payment of an honorarium, set as a condition by those in power, which protects the wrong doer from the excesses of revenge; punishment as a compromise with the natural condition of revenge, insofar as the latter is still upheld and assumed as a privilege by powerful families; punishment as a declaration of war and a war measure against an enemy to peace, law, order, and authority, which people fight with the very measures war makes available, as something dangerous to the community, like a contract breaker with respect to its conditions, like a rebel, traitor, and breaker of the peace.

14

Of course, this list is not complete. Obviously punishment is overloaded with all sorts of useful purposes—all the more reason why people infer from it an alleged utility, which in the popular consciousness at least is considered the most essential one. Faith in punishment, which nowadays for several reasons is getting very shaky, always finds its most powerful support in precisely this: Punishment is supposed to be valuable in waking a feeling of guilt in the guilty party. In punishment people are looking for the actual instrument for that psychic reaction called "bad conscience" and "pangs of conscience." In doing this, people still apply reality and psychology incorrectly to present issues—and how much more incorrectly to the greater part of man's history, his prehistory!

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[1] *Huxley* Thomas Henry Huxley (1825–95), English biologist and writer, sometimes referred to as "Darwin's bulldog" for his spirited defense of Darwinism.

[2] *per analogium* Latin: by analogy.

Real pangs of conscience are something extremely rare, especially among criminals and prisoners. Prisons and penitentiaries are not breeding grounds in which this species of gnawing worm particularly likes to thrive—on that point all conscientious observers agree, in many cases delivering such a judgment with sufficient unwillingness, going against their own desires. In general, punishment makes people hard and cold. It concentrates. It sharpens the feeling of estrangement and strengthens powers of resistance. If it comes about that punishment shatters a man's energy and brings on a wretched prostration and self-abasement, such a consequence is surely even less pleasant than the ordinary results of punishment—characteristically a dry and gloomy seriousness.

However, if we consider the millennia before the history of humanity, without a second thought we can conclude that the very development of a feeling of guilt was most powerfully hindered by punishment, at least with respect to the victims onto whom this force of punishment was vented. For let us not underestimate just how much the criminal is prevented by the sight of judicial and executive processes from sensing the nature of his action as something inherently reprehensible, for he sees exactly the same kind of actions undertaken in the service of justice, applauded and practiced in good conscience, like espionage, lying, bribery, entrapment, the whole tricky and sly art of the police and prosecution, as it develops in the various kinds of punishment—the robbery, oppression, abuse, imprisonment, torture, murder (all done as a matter of principle, without any emotional involvement as an excuse). All these actions are in no way rejected or condemned in themselves by his judges, but only in particular respects when used for certain purposes.

"Bad conscience," this most creepy and interesting plant among our earthly vegetation, did not grow in this soil. In fact, for the longest period in the past no notion of dealing with a "guilty party" penetrated the consciousness of judges or even those doing the punishing. They were dealing with someone who had caused harm, with an irresponsible piece of fate. And even the man on whom punishment later fell, once again like a piece of fate, experienced in that no "inner pain," other than what came from the sudden arrival of something unpredictable, a terrible natural event, a falling, crushing boulder against which there is no way to fight.

15

At one point Spinoza became aware of this point in an incriminating way (something which irritates his interpreters, like Kino Fischer,[1] who really go to great lengths to misunderstand him on this issue), when one afternoon, he came up against some memory or other (who knows what?) and pondered the question about what, as far as he was concerned, was left of the celebrated *morsus conscientiae*[2]—for he had expelled good and evil into the human imagination and had irascibly defended the honor of his "free" God against those blasphemers who claimed that in everything God worked *sub ratione boni*[3] ("but that means that God would be subordinate to Fate, a claim which, if true, would be the greatest of all contradictions"). For Spinoza the world had gone back again into that state of innocence in which it existed before the fabrication of the idea of a bad conscience. So what, then, had happened to the *morsus conscientiae*?

"The opposite of *gaudium*,"[4] Spinoza finally told himself "is sorrow, accompanied by the image of something over and done with which happened contrary to all expectation."[5] Just like Spinoza, those instigating evil who incurred punishment have for thousands of years felt in connection with their crime "Something has unexpectedly gone awry here," not "I should not have done that." They submitted to their punishment as people submit to a sickness or some bad luck or death, with that brave fatalism free of revolt which, for example, even today gives the Russians an advantage over us westerners in coping with life. If back then there was some criticism of the act, such criticism came from prudence: without question we must seek the essential effect of punishment above all in an increase of prudence, in a extension of memory, in a will to go to work from now on more carefully, mistrustfully, and secretly, with the awareness that we are in many things definitely too weak, in a kind of improved ability to judge ourselves.

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[1] *Kino Fischer* Professor at Heidelberg (1824–1907) and author of a ten-volume history of modern philosophy.

[2] *morsus conscientiae* Latin: the bite of conscience.

[3] *sub ratione boni* Latin: with good reason.

[4] *gaudium* Latin: joy.

[5] *The opposite … to all expectation* Spinoza, *Ethics* 3, Proposition 18, Schol. 1, 2.

In general, what can be achieved through punishment, in human beings and animals, is an increase in fear, a honing of prudence, control over desires. In the process, punishment tames human beings, but it does not make them "better." People might be more justified in asserting the opposite. (Popular wisdom says "Injury makes people prudent," but to the extent that it makes them prudent, it also makes them bad. Fortunately, often enough it makes people stupid.)

16

At this point, I can no longer avoid setting out, in an initial, provisional statement, my own hypothesis about the origin of "bad conscience." It is not easy to get people to attend to it, and it requires them to consider it at length, to guard it, and to sleep on it. I consider bad conscience the profound illness which human beings had to come down with, under the pressure of the most fundamental of all the changes which they experienced—that change when they finally found themselves locked within the confines of society and peace. Just like the things water animals must have gone though when they were forced either to become land animals or to die off, so events must have played themselves out with this half-beast so happily adapted to the wilderness, war, wandering around, adventure—suddenly all its instincts were devalued and "disengaged."

From this point on, these animals were to go on foot and "carry themselves"; whereas previously they had been supported by the water. A terrible heaviness weighed them down. In performing the simplest things they felt ungainly. In dealing with this new unknown world, they no longer had their old leader, the ruling unconscious drives which guided them safely. These unfortunate creatures were reduced to thinking, inferring, calculating, bringing together cause and effect, reduced to their "consciousness," their most impoverished and error-prone organ! I believe that on earth there has never been such a feeling of misery, such a leaden discomfort—while at the same time those old instincts had not all at once stopped imposing their demands! Only it was difficult and seldom possible to do their bidding. For the most part, they had to find new and, as it were, underground satisfactions for them.

All instincts which are not discharged to the outside are turned back inside. This is what I call the internalization of man. From this first grows in man what people later call his "soul." The entire inner world, originally as thin as if stretched between two layers of skin, expanded and extended itself, acquired depth, width, and height, to the extent that the discharge of human instinct out into the world was obstructed. Those frightening fortifications with which the organization of the state protected itself against the old instincts for freedom—punishment belongs above all to these fortifications—made all those instincts of the wild, free, roaming man turn backwards, against man himself. Enmity, cruelty, joy in pursuit, in attack, in change, in destruction—all those turned themselves against the possessors of such instincts. That is the origin of "bad conscience."

The man who lacked external enemies and opposition and was forced into an oppressive narrowness and regularity of custom, impatiently tore himself apart, persecuted himself, gnawed away at himself, grew upset, and did himself damage—this animal which scraped itself raw against the bars of its cage, which people want to "tame," this impoverished creature, consumed with longing for the wild, had to create in itself an adventure, a torture chamber, an uncertain and dangerous wilderness, this fool, this yearning and puzzled prisoner, was the inventor of "bad conscience." With him was introduced the greatest and weirdest illness, from which human beings up to the present time have not recovered, the suffering of man from his humanness, from himself, a consequence of the forcible separation from his animal past, a leap and, so to speak, a fall into new situations and living conditions, a declaration of war against the old instincts, on which, up to that point, his power, joy, and ability to inspire fear had been based.

Let us at once add that, on the other hand, the fact that there was now an animal soul turned against itself, taking sides against itself, provided this earth with something so new, profound, unheard of, enigmatic, contradictory, and portentous, that the picture of the earth was fundamentally changed. In fact, it required divine spectators to approve the dramatic performance which then began and whose conclusion is not yet in sight, a spectacle too fine, too wonderful, too paradoxical, to be allowed to play itself out senselessly and unobserved on some ridiculous star or other. Since then man has been included among the most unexpected and most thrillingly lucky rolls of the dice in the game played by Heraclitus' "great child," whether he's called Zeus or chance. In himself he arouses a certain interest, tension, hope, almost a certainty, as if something is announcing itself in him, is preparing itself, as if the human being were not the goal but only the way, an episode, a great promise ...

17

Inherent in this hypothesis about the origin of bad conscience is, firstly, the assumption that this change was not gradual or voluntary and did not manifest an organic growth into new conditions, but was a break, a leap, something forced, an irrefutable disaster, against which there was no struggle nor any resentment. Secondly, it assumes that the adaptation of a populace which had hitherto been unchecked and shapeless into a fixed form was initiated by an act of violence and was carried to its conclusion by nothing but sheer acts of violence, that consequently the very oldest "State" emerged as a terrible tyranny, as an oppressive and inconsiderate machinery, and continued working until such a raw materials of people and half-animals finally were not only thoroughly kneaded and submissive but also given a shape.

I used the word "State"—it is self-evident who is meant by that term—some pack of blond predatory animals, a race of conquerors and masters, which, organized for war and with the power to organize, without thinking about it, sets its terrifying paws on a subordinate population which may perhaps be vast in numbers but is still without any shape, is still wandering about. That's surely the way the "State" begins on earth. I believe that that fantasy has been done away with which sees the beginning of the state in some "contract." The man who can command, who is naturally a "master," who comes forward with violence in his actions and gestures—what has a man like that to do with making contracts! We cannot negotiate with such beings. They come like fate, without cause, reason, consideration, or pretext. They are present as lightning is present, too fearsome, too sudden, too convincing, too "different" even to become hated. Their work is the instinctive creation of forms, the imposition of forms. They are the most involuntary and unconscious artists in existence. Where they appear something new is soon present, a living power structure, something in which the parts and functions are demarcated and coordinated, in which there is, in general, no place for anything which does not first derive its "meaning" from its relationship to the totality.

These men, these born organizers, have no idea what guilt, responsibility, and consideration are. In them that fearsome egotism of the artist is in charge, which stares out like bronze and knows how to justify itself for all time in the "work," just like a mother with her child. They are not the ones in whom "bad conscience" grew—that point is obvious from the outset. But this hateful plant would not have grown without them. It would have failed if an immense amount of freedom had not been driven from the world under the pressure of their hammer blows, their artistic violence—or at least driven from sight and, as it were, had become latent. This powerful instinct for freedom, once made latent (we already understand how), this instinct driven back, repressed, imprisoned inside, and finally able to discharge and direct itself only against itself—that and that alone is what bad conscience is in its beginnings.

18

We need to be careful not to entertain a low opinion of this entire phenomenon simply because it is from the start hateful and painful. Basically it is the same active force which is at work on a grander scale in those artists of power and organization and which builds states. Here it is inner, smaller, more mean spirited, directing itself backwards, into "the labyrinth of the breast,"[1] to use Goethe's words, and it creates bad conscience and builds negative ideals, that very instinct for freedom (to use my own language, the will to power). But the material on which the shaping and violating nature of this force directs itself here is man himself, all his old animal self, and not, as in that greater and more striking phenomenon, on another man or on other men.

This furtive violation of the self, this artistic cruelty, this pleasure in giving a shape to oneself as if to a tough, resisting, suffering material, to burn into it a will, a critique, a contradiction, a contempt, a denial—this weird and horribly pleasurable work of a soul willingly divided against itself, which makes itself suffer for the pleasure of creating suffering, all this active "bad conscience," as the essential womb of ideal and imaginative events, finally brought to light—we have already guessed—also an abundance of strange new beauty and affirmation, perhaps for the first time the idea of the beautiful.... For what would be "beautiful," if its opposite had not yet come to an awareness of itself, if ugliness had not already said to itself, "I am ugly" ...

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[1] *labyrinth ... breast* From Goethe's poem *An den Mond* ("To the Moon") (1789).

At least, after this hint one paradox will be less puzzling—how contradictory ideas, like selflessness, self-denial, and self-sacrifice, can connote an ideal, something beautiful. And beyond that, one thing we do know—I have no doubt about it—namely, the nature of the pleasure which the selfless, self-denying, self-sacrificing person experiences from the beginning: this pleasure belongs to cruelty.

So much for the moment on the origin of the "unegoistic" as something of moral worth and on the demarcation of the soil out of which this value has grown: only bad conscience, only the will to abuse the self, provides the condition for the value of the unegoistic.

19

Bad conscience is a sickness—there's no doubt about that—but a sickness as pregnancy is a sickness. Let's look for the conditions in which this illness has arrived at its most terrible and most sublime peak. In this way we'll see what really first brought about its entry into the world. But that requires a lot of endurance—and we must first go back again to an earlier point. The relationship in civil law between the debtor and the creditor, which I have reviewed extensively already, has been reinterpreted once again in an extremely remarkable and dubious historical manner into a relationship which we modern men are perhaps least capable of understanding, namely, into the relationship between those people presently alive and their ancestors.

Within the original tribal cooperatives—we're talking about primeval times—the living generation always acknowledged a legal obligation to the previous generations, and especially to the earliest one which had founded the tribe (and this was in no way merely a sentimental obligation—the latter is something we could reasonably claim was absent for the longest period of the human race). Here the reigning conviction was that the tribe exists only because of the sacrifices and achievements of its ancestors, and that people had to pay them back with sacrifices and achievements. In this people recognize a debt which keeps steadily growing because these ancestors in their continuing existence as powerful spirits do not stop giving the tribe new advantages and lending them their power. Do they do this gratuitously? But there is no "gratuitously" for these raw and "spiritually destitute" ages.

What can people give back to them? Sacrifices (at first as nourishment understood very crudely), festivals, chapels, signs of honor; and, above all, obedience—for all customs, as work of one's ancestors, are also their statutes and commands. Do people ever give them enough? This suspicion remains and grows. From time to time it forcefully requires wholesale redemption, something huge as a payment back to the "creditor" (the notorious sacrifice of the first born, for example, blood, human blood in any case).

Fear of ancestors and their power, the awareness of one's debt to them, according to this kind of logic, necessarily increases directly in proportion to the increase in the power of the tribe itself, as the tribe finds itself constantly more victorious, more independent, more honored, and more feared. It's not the other way around! Every step towards the decline of the tribe, all conditions of misery, all indications of degeneration, of approaching dissolution, much rather lead to a constant diminution of the fear of the spirit of its founder and give a constantly smaller image of his wisdom, providence, and present power.

If we think this crude logic through to its conclusion, then the ancestors of the most powerful tribes must, because of the fantasy of increasing fear, finally have grown into something immense and have been pushed into the darkness of a divine mystery, something beyond the powers of imagination, so that finally the ancestor is necessarily transfigured into a god. Here perhaps lies even the origin of the gods, thus an origin out of fear!... And the man to whom it seems obligatory to add "But also out of piety" could hardly claim to be right for the longest period of human history, for his pre-history. Of course, he would be all the more correct for the middle period in which the noble tribes developed, those who in fact paid back their founders, their ancestors (heroes, gods), with interest, all the characteristics which in the meantime had become manifest in themselves, the noble qualities. Later we will have another look at the process by which the gods were ennobled and exalted (which is naturally not at all the same thing as their becoming "holy"). But now, for the moment, let's follow the path of this whole development of the consciousness of guilt to its conclusion.

20

As history teaches us, the consciousness of being in debt to the gods did not in any way come to an end after the downfall of communities organized on the basis of blood relationships. Just as humanity inherited the ideas of "good and bad" from the nobility of the tribe (together with its fundamental psychological tendency to set up orders of rank), in the same way people also inherited, as well as the divinities of the tribe and of the extended family, the pressure of as yet unpaid debts and the desire to be relieved of them. (The transition is made with those numerous slave and indentured populations which adapted themselves to the divine cults of their masters, whether through compulsion or through obsequiousness and mimicry; from them this inheritance overflowed in all directions). The feeling of being indebted to the gods did not stop growing for several thousands of years—always, in fact, in direct proportion to the extent to which the idea of god and the feeling for god grew and were carried to the heights.

(The entire history of ethnic fighting, victory, reconciliation, mergers—everything which comes before the final rank ordering of all the elements of a people in that great racial synthesis—is mirrored in the tangled genealogies of its gods, in the sagas of their fights, victories, and reconciliations. The progress towards universal kingdoms is at the same time always also the progress toward universal divinities. In addition, despotism, with its overthrow of the independent nobles always builds the way to some variety of monotheism.)

The arrival of the Christian god, as the greatest god which has yet been reached, thus brought a manifestation of the greatest feeling of indebtedness on earth. Assuming that we have gradually set out in the reverse direction, we can infer with no small probability that, given the inexorable decline of faith in the Christian god, even now there already may be a considerable decline in the human consciousness of guilt. Indeed, we cannot dismiss the idea that the complete and final victory of atheism could release humanity from this entire feeling of being indebted to its origins, its *causa prima*.[1] Atheism and a kind of second innocence belong together.

21

So much for a brief and rough preface concerning the connection between the ideas "guilt" and "obligation" with religious assumptions. Up to this point I have deliberately set aside the actual moralizing of these ideas (the repression of them into the conscience, or more precisely, the complex interaction between a bad conscience and the idea of god). At the end of the previous section I even talked as if there was no such thing as this moralizing and thus as if now these ideas had necessarily come to an end after the collapse of their presuppositions, the faith in our "creditor," in God. But to a terrifying extent the facts indicate something different. The moralizing of the ideas of debt and duty, with their repression into bad conscience, actually gave rise to the attempt to reverse the direction of the development I have just described, or at least to bring its motion to a halt. Now, in a fit of pessimism, the prospect of a final installment must once and for all be denied. Now, our gaze is to bounce and ricochet back despairingly off an iron impossibility, now those ideas of "debt" and "duty" are supposed to turn back. But against whom?

There can be no doubt: first of all against the "debtor," in whom from this point on bad conscience, firmly set in him, eating into him and spreading out like a polyp, grows wide and deep, until finally, with the impossibility of discharging the debt, people conceive of the idea of the impossibility of removing the penance, the idea that the debt cannot be paid off ("eternal punishment"). Finally however, those ideas of "debt" and "duty" turn back even against the "creditor." People should, in this matter, now think about the causa prima of humanity, about the beginning of the human race, about their ancestor who from now on is loaded down with a curse ("Adam," "original sin," "no freedom of the will") or about nature from whose womb human beings arose and into whom from now on the principle of evil is inserted ("the demonizing of nature") or about existence in general, which remains something without value in itself (nihilistic turning away from existence, longing for nothingness, or a desire for its "opposite," in an alternate state of being, Buddhism and things like that)—until all of a sudden we confront the paradoxical and horrifying expedient with which a martyred humanity found temporary relief, that stroke of genius of Christianity—God's sacrifice of himself for the guilt of human beings, God paying himself back with himself, God as the only one who can redeem man from what for human beings has become impossible to redeem—the creditor sacrifices himself for the debtor, out of love (can people believe that?), out of love for his debtor!...

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[1] *causa prima* Latin: first cause.

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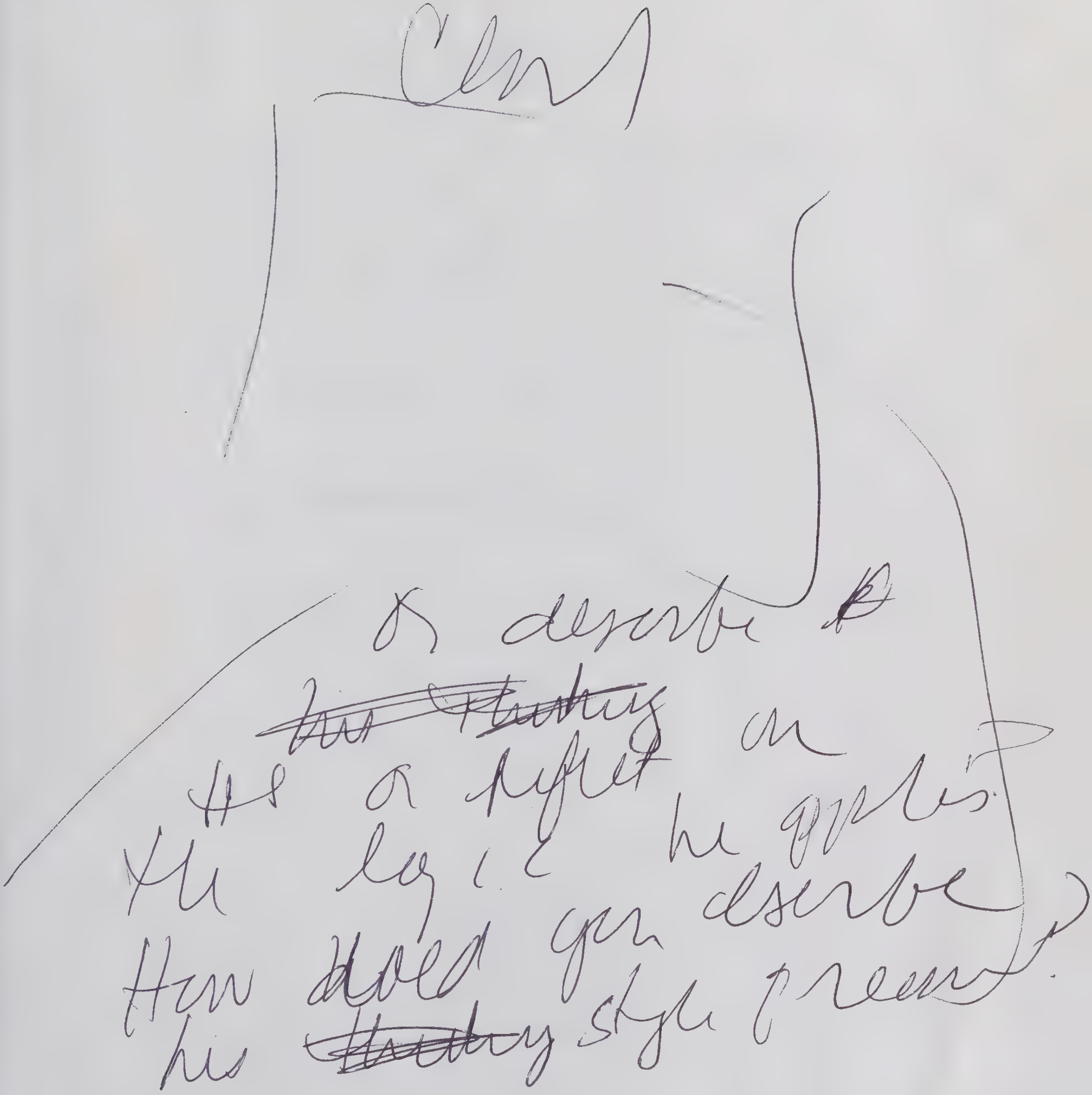

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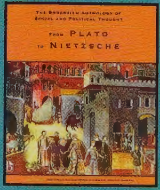
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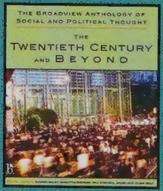
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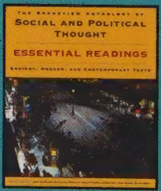
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